

HOUSE OF REPRESENTATIVES—Thursday, October 8, 1987

The House met at 10 a.m. and was called to order by the Speaker pro tempore [Mr. COELHO].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
October 8, 1987.

I hereby designate the Honorable TONY COELHO to act as Speaker pro tempore on Thursday, October 8, 1987.

JIM WRIGHT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We are grateful, O God, that we can live where our religious attitudes can be freely expressed and we can share our beliefs with one another. May this openness to hear and communicate our deepest feelings of faith encourage us to listen to others, learning always, and so testify to Your Word of love. This we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

A VERY SAD SPECTACLE

(Mr. LEVINE of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVINE of California. Mr. Speaker, the American people are currently witnessing a very sad spectacle. We have an administration which has suggested a nominee to the U.S. Supreme Court whose views have clearly been repudiated by a majority of the other body. And yet, despite this repudiation, this administration is now forcing this nominee, not to just go through a repudiation of his views, but to go through a personal repudiation as well.

The intransigence of this administration when the votes are clearly in, when the verdict has clearly been rendered, when bipartisan Members of the other body have expressed the conclusive judgment that his views are

not in the mainstream of American judicial thinking, is unfortunate. This is the time for the administration to act with some wisdom and some leadership rather than with the intransigence that is being demonstrated by the refusal to withdraw this nomination. The lack of leadership and the lack of judgment that we are now seeing from this administration is divisive and counterproductive for the country.

WHERE IS THE BUDGET?

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, we are already 8 days into the new fiscal year, but we have yet to see any evidence that Congress is moving on essential spending and reconciliation legislation.

Although the Senate has finally started moving on appropriations measures, none has yet been scheduled for conference with the House. And we are apparently some time away from having a reconciliation measure reported from the Budget Committee and the various authorizing committees.

Mr. Speaker, this is a national disgrace. We are almost at the point of facing a sequester of appropriated funds under the revised Gramm-Rudman-Hollings measure. On October 10, just 2 days from today, there will be a "snapshot" of the current budgetary situation. On October 15, in a week from now, we will receive a preliminary sequester report from the Congressional Budget Office, to be followed on October 20 by a similar report from OMB.

I emphasize, Mr. Speaker, that time is running out. Let us get these measures out of committee, out to the floor, and get on with the provision of essential Government services. We owe at least that much to the constituents we serve and represent.

TRIBUTE TO MR. DWIGHT L. DILLON

(Mr. DANIEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL. Mr. Speaker, I rise to pay tribute to Mr. Dwight L. Dillon of Bassett, VA, who has recently completed his term as president of the Independent Insurance Agents of America.

President of Dillon Insurance Agency, Inc., Mr. Dillon was elected to the Executive Committee of the Independent Insurance Agents of America in 1981, and became president in 1986. As president, Mr. Dillon served as chairman of the IIAA/ISO Senior Company Forum and a member of the IIAA/State Association Coordination Committee. During his tenure thus far with IIAA, he has been their representative for civil justice reform, as well as serving on the InsurPac Board of Trustees and the Future One Federal/State Association Coordination Task Force.

Having served as president of the Independent Insurance Agents of Virginia, in 1982 he received its Past President's Award for his efforts on behalf of Virginia's open competition law and bank holding company prohibitory legislation. He has served as chairman and a member of the Martinsville-Henry County polio fund, as well as such organizations as the West Piedmont Planning District Commission, the Jaycees, and the volunteer fire department.

Mr. Speaker, Dwight Dillon's dedication to his association should be commended, especially in light of the personal sacrifices he has made for his fellow agents. He has guided the Independent Insurance Agents of America through a turbulent year, both on Capitol Hill and in the State Capitols.

Mr. Dillon's community spirit and civic activism are an inspiration to all. Although his term as president of the IIAA has come to a close, his leadership and ability will live on, both in the community and as a member of the Executive Committee of the Independent Insurance Agents of America.

AIDS AND THE EDUCATION OF OUR CHILDREN, A GUIDE FOR PARENTS AND TEACHERS

(Mr. DANNEMEYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANNEMEYER. Mr. Speaker, I would like to draw to my colleagues' attention to the fact that in the last several days, Secretary of Education Bennett has produced a publication that will be of interest to the parents, the children, schoolteachers, school administrators of America on the subject of how we can deal with educating our children and ourselves on the AIDS epidemic in this country.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I want to commend Secretary of Education Bennett for producing this publication called "AIDS and the Education of Our Children, a Guide for Parents and Teachers," a publication of the U.S. Department of Education under the leadership of Secretary of Education Bennett. This document recognizes the inseparability between human sexuality and morality and ethics.

When our society affirms that inseparability, we have the chance of coming out of this epidemic that is now facing this country.

For the last two decades in America, we have been engaged in the sexual revolution where our society has indeed questioned the existence of standards, themselves, relating to human sexuality.

Secretary of Education Bennett, a voice in America that is providing the leadership to affirm again that the basis of our civilization is the Judeo-Christian ethic, that it was good when Moses brought those tablets down from Mount Sinai, it is good today and it will be good for all time.

It is good for us to study these principles in terms of how we can deal with the AIDS epidemic in America.

HAPPY BIRTHDAY, REPUBLIC OF CHINA

(Mr. HUTTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUTTO. Mr. Speaker, I rise today to congratulate the Republic of China on its 76th anniversary. The Republic of China has long been recognized as a valuable ally of the United States. The location of this island nation of Taiwan, only 90 miles from the coast of Asia, makes this one of the most geopolitically important in the world.

Since moving to Taiwan in 1949, the Republic of China Government repeatedly has offered the use of the island's facilities to the United States forces in time of war; truly a friend.

In addition to its strategic value to the United States, I believe that one of the most effective ways we have of creating attitudes conducive to the democratization of nations is to look to the success stories such as the Republic of China. The Republic of China has proved to be one of the most important examples of how free enterprise and democratic principles can promote economic growth and self-determination.

Nations throughout the Third World, particularly in Latin America, should look to the Republic of China as a model for their own economic and social development.

I had the opportunity to visit this great nation back in August and after nearly a week in Taiwan, my positive

feelings about this great nation, shared by my fellow Americans, have been reinforced.

I admired the physical beauty of its economic structures, the majestic lush green mountains and the blue-green waters that surround it which are like a jeweled picture frame. But transcending all of this, I believe all of us there felt the warmth and graciousness of the Chinese people. We breathed with them the precious air of freedom. There is no more freedom-loving country than the Republic of China.

So congratulations, Republic of China, on your 76th anniversary.

COMMEMORATING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE MONTGOMERY COUNTY NAACP

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, today brings a special commemoration of an organization that means hope and justice, breathing new life into the ideal that all men are created equal. The Montgomery County, MD, branch of the National Association for the Advancement of Colored People celebrates its 50th anniversary today, in this year of the 200th anniversary of the U.S. Constitution.

Fifty years ago, William H. Hastie became the first black to sit as a Federal judge in the history of the United States. Richard Wright became editor of Challenge magazine, challenging blacks to write with greater "social realism." And the national office of the NAACP was already nearly 30 years old.

The beginnings of the Montgomery County NAACP in 1937 are found in its support for county black teachers in a first-of-its-kind lawsuit to equalize teachers' salaries. Supreme Court Justice Thurgood Marshall, then assistant chief counsel for the national office, helped negotiate the final settlement. Throughout its history, the Montgomery County NAACP has emphasized educational improvement for black students and teachers in the county, working for continued desegregation and integration of schools, faculties, and courses, as well as physical improvements.

Today, the Montgomery County, MD, NAACP, over 1,000 strong, also strives for equal employment opportunities, voter education and registration, minority business and economic development, fairness in the criminal justice system, and fair housing practices.

Mr. Speaker, Benjamin Hooks, national office executive director, wrote of the Montgomery County branch: "You have consistently participated in

making positive things happen." From its first president, William B. Gibbs, to today's president, Roscoe Nix; its current leadership: Mr. Nix; executive vice president Mrs. Gladys Young; and vice presidents Mr. Hanley Norment and Ms. Ellen Nickens, and its over 1,000 members—the Montgomery County NAACP has made positive things happen. Its 50 years of service, of caring and sharing, has brought out the best in all of us.

Mr. Speaker, today we are reminded of the words of Martin Luther King, a great man with a dream that all people would not be judged by the color of their skin but by the content of their character. He said, "Injustice anywhere is a threat to justice everywhere." In this 50th year of the Montgomery County NAACP, let us all work for justice everywhere.

POSITIVE AND ENCOURAGING NEWS FROM THE WHITE HOUSE

(Mr. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, yesterday President Reagan spoke before the OAS and said he backed the Arias plan for peace in Central America. This was positive and encouraging, because for many weeks it appeared that the administration was trying to scuttle the Arias plan. It was a positive step; yet in almost the same breath, the President said he was going to ask for aid to the Contras, perhaps humanitarian aid. You cannot have it both ways. But nonetheless, it appears that a softening is taking place and the President realizes that he has to work with Congress so that we have a bipartisan Central American policy.

The Sandinistas have taken positive steps. It remains to be seen whether they are cosmetic or not. The Contras have taken positive steps.

The Central American Presidents, all five of them, are putting all their political capital on this peace plan. The Congress, through Speaker WRIGHT, has cooperated in a bipartisan effort. It is critically important now that the President, who has signaled that he wants to bank the Arias plan, is going to follow through and not ask for any aid to the Contras until after peace has a chance to operate.

Hopefully, he will not have to. Hopefully, the Arias plan or the Reagan-Wright plan will be the law and rule of the land.

This is the last hope for peace and hopefully the President's speech yesterday was a start in that direction.

LET US SEE WHO IS FOR LAW AND ORDER, LET US HAVE A VOTE ON JUDGE BORK'S NOMINATION

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, from at least one of the speeches we have heard today, it sounds to me as though some liberals want the decision on Judge Bork to be rendered before the votes are counted.

The facts are clear, Mr. Speaker. Judge Bork is a tough law and order judge. Many liberals do not want their votes on the record against law and order.

So what they want is for the administration to throw in the towel without a vote.

"Don't do it, Judge Bork, don't do it, Mr. President."

Let us have a vote, let us see who is for law and order. Let us see who believes that the conglomerate of liberal special interests that have lined up and slandered Bork, let us find out whether or not they are more in tune with America than those Americans who want law and order.

The vote on Judge Bork will be a key law and order vote in this decade. Let us have it.

□ 1015

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

Mr. COELHO. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the Senate bill (S. 1574) to combine the Senators' Clerk Hire Allowance Account and the Senators' Official Office Expense Account into a combined single account to be known as the "Senators' Official Personnel and Office Expense Account," and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. DANIEL). Is there objection to the request of the gentleman from California?

Mr. FRENZEL. Mr. Speaker, reserving the right to object, I do so to yield to the distinguished majority whip to explain the bill.

Mr. COELHO. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, this bill authorizes use of the Senate contingent fund to pay for the consolidated office and staff expenses of Senators. The CBO cost estimate in Senate Report 100-134 states that—

The bill would provide Senators with increased flexibility in managing staff salaries and official expenses, but would not change

the amounts Senators are authorized to spend.

This bill passed the Senate before the August recess, and represents an internal change in the way the Senate wishes to administer its allowance system. If the House is to assist the Senate in this internal Senate matter, we must act now to ensure adequate time for Senate offices to become familiar with the new procedures prior to implementation. This bill deals only with internal Senate policy and the use of the Senate contingent fund. And as a matter of comity regarding the internal policies of the other body, the House should pass the bill at this time.

Mr. FRENZEL. Mr. Speaker, further reserving the right to object, the minority concurs in the description and the conclusions. The bill sets no precedent for the House. It bears on the House not at all. It is a matter of comity, and we believe it should be passed immediately.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1574

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)(1) effective January 1, 1988, there shall be, within the contingent fund of the Senate, a separate appropriation account to be known as the "Senators' Official Personnel and Office Expense Account" (hereinafter in this section referred to as the "Senators' Account").

(2) The Senators' Account shall be used for the funding of all items, activities, and expenses which, immediately prior to January 1, 1988, were funded under either (A) the Senate appropriation account for "Administrative, Clerical, and Legislative Assistance Allowance to Senators" (hereinafter in this section referred to as the "Senators' Clerk Hire Allowance Account") under the headings "SENATE" and "SALARIES, OFFICERS AND EMPLOYEES", or (B) that part of the account, within the contingent fund of the Senate, for "Miscellaneous Items" (hereinafter in this section referred to as the "Senators' Official Office Expense Account") which is available for allocation to Senatorial Official Office Expense Accounts. In addition, the Senators' Account shall be used for the funding of agency contributions payable with respect to compensation payable by such account, but moneys appropriated to such account for this purpose shall not be available for any other purpose. The account, which in clause (A) of the first sentence of this paragraph is identified as the "Senators' Clerk Hire Allowance Account" and the account, which in clause (B) of such sentence is identified as the "Senators' Official Office Expense Account" shall, when referred to in other law, rule, regulation, or order (whether referred to by such name or any other) shall on and after January 1, 1988, be deemed to refer to the "Senators' Official Personnel and Office Expense Account".

(3)(A) Effective on January 1, 1988, there shall be transferred to the Senators' Account from the Senators' Clerk Hire Allowance Account all funds therein which were available for expenditure or obligation during the fiscal year ending September 30, 1988, and from the Senators' Official Office Expense Account so much of the funds therein as was available for expenditure or obligation for the period commencing January 1, 1988, and ending September 30, 1988; except that the Senators' Official Office Expense Account shall remain in being solely for the purpose of being available to pay for any authorized item, activity, or expense, for which funds therein had been obligated, but not paid, prior to such transfer.

(B) Any of the funds transferred to the Senators' Account from the Senators' Clerk Hire Allowance Account pursuant to subparagraph (A) which, prior to such transfer, had been obligated, but not expended, for any authorized item, activity, or expense, shall be available to pay for such item, activity, or expense in like manner as if such transfer had not been made.

(4) On January 1, 1988, there shall be transferred to the Senators' Account, from the appropriation account for "Agency Contributions", under the headings "SENATE" and "SALARIES, OFFICERS AND EMPLOYEES", so much of the moneys in such account as was appropriated for the purpose of making agency contributions for administrative, clerical, and legislative assistance to Senators with respect to compensation payable for the period commencing January 1, 1988, and ending September 30, 1988; and the moneys so transferred shall be available only for the payment of such agency contributions with respect to such compensation.

(5) Vouchers shall not be required for the disbursement, from the Senators' Account, of salaries of employees in the office of a Senator.

(b)(1) Effective January 1, 1988, section 506(a) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(a)) is amended to read as follows:

"Sec. 506. (a) The contingent fund of the Senate is made available for payment to or on behalf of each Senator, upon certification of the Senator, for the following expenses incurred by the Senator and his staff:

"(1) telecommunications equipment and services subject to such regulations as may be promulgated by the Committee on Rules and Administration of the Senate;

"(2) stationery and other office supplies procured for use for official business;

"(3) reimbursement to each Senator for costs incurred in the preparation of required official reports, and the acquisition of mailing lists to be used for official purposes, and in the mailing, delivery, or transmitting of matters relating to official business;

"(4) reimbursement to each Senator for official office expenses incurred (other than for equipment and furniture and expenses described in paragraphs (1) through (3)) for an office in his home State;

"(5) reimbursements to each Senator for expenses incurred for publications printed or recorded in any way for auditory and visual use (including subscriptions to books, newspapers, magazines, clipping, and other information services);

"(6) subject to the provisions of subsection (e) of this section, reimbursement of travel expenses incurred by the Senator and employees in his office;

"(7) reimbursement to each Senator for expenses incurred for additional office equipment and services related thereto (but not including personal services), in accordance with regulations promulgated by the Committee on Rules and Administration of the Senate;

"(8) reimbursement to each Senator for charges officially incurred for recording and photographic services and products; and

"(9) reimbursement to each Senator for such other official expenses as the Senator determines to be necessary, but only (A) in the case of expenses for the period commencing January 1, 1988, and ending with the close of September 30, 1988, to the extent that such expenses do not exceed ten percent of the total amount of expenses authorized to be paid to or on behalf of such Senator under this section (excluding any amount so authorized by subsection (b)(2)(A)(iv) of this section), and (B) in the case of expenditures for periods commencing on or after October 1, 1988, to the extent such expenses do not exceed ten percent of the total amount of expenses authorized to be paid to or on behalf of such Senator under this section (excluding any amount so authorized by subsection (b)(3)(A)(iv) of this section for the fiscal year involved).

Reimbursement to a Senator and his employees under this section shall be made only upon presentation of itemized vouchers for expenses incurred and, in the case of expenses reimbursed under paragraphs (6) and (9), only upon presentation of detailed itemized vouchers for such expenses. Vouchers presented for payment under this section shall be accompanied by such documentation as is required under regulations promulgated by the Committee on Rules and Administration of the Senate. No reimbursement shall be made under paragraph (4) or (9) for any expense incurred for entertainment or meals."

(2) Effective January 1, 1988, section 506(b) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(b)) is amended—

(A) in paragraph (1), by striking out "Except as otherwise provided in paragraph (2) of this subsection," and inserting in lieu thereof the following: "(A) Except as is otherwise provided in the succeeding paragraphs of this subsection and subject to subparagraph (B) of this paragraph,"

(B) by redesignating paragraph (2) as subparagraph (B) of paragraph (1), and

(C) by adding at the end thereof the following new paragraphs:

"(2)(A) In the case of the period which commences January 1, 1988, and ends September 30, 1988, the total of—

"(i) the expenses paid to or on behalf of a Senator under this section for such period, plus

"(ii) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for such period (as determined for purposes of section 105(d) of the Legislative Branch Appropriation Act, 1968),

shall not exceed the aggregate of—

"(iii) subject to subparagraph (B), an amount equal to 75 percent of the amount of the authorized expenses under this section for the calendar year ending December 31, 1987, as determined in the case of a Senator, who represents the State which such Senator represents, whose term of office included all of such calendar year, plus

"(iv) the amount by which (I) the aggregate of the gross compensation which may be paid to employees in the office of such

Senator for the fiscal year ending September 30, 1988, pursuant to the limitations imposed by section 105(d) of the Legislative Branch Appropriation Act, 1968 (as determined without regard to paragraph (1)(B) thereof), exceeds (II) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for that part of such fiscal year which precedes January 1, 1988.

"(B) In the event that the term of office of a Senator begins after the first month of the period which commences January 1, 1988, and ends September 30, 1988, or ends (except by reason of death, resignation, or expulsion) before the last month of such period, the amount computed pursuant to subparagraph (A)(iii) of this paragraph (but before application of this subparagraph) shall be recalculated as follows: such amount, as computed under subparagraph (A)(iii) of this paragraph, shall be divided by 9, and multiplied by the number of months in such period which are included in the Senator's term of office, counting any fraction of a month as a full month.

"(3)(A) In the case of the fiscal year beginning October 1, 1988, or any fiscal year thereafter, the total of—

"(i) the expenses paid to or on behalf of a Senator under this section for such fiscal year, plus

"(ii) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for such fiscal year (as determined for purposes of section 105(d) of the Legislative Branch Appropriation Act, 1968),

shall not exceed the aggregate of—

"(iii) subject to subparagraph (B), in the case the Senator represents Alabama, \$53,000, Alaska, \$137,000, Arizona, \$63,000, Arkansas, \$54,000, California, \$95,000, Colorado, \$59,000, Connecticut, \$44,000, Delaware, \$36,000, Florida, \$56,000, Georgia, \$53,000, Hawaii, \$156,000, Idaho, \$62,000, Illinois, \$71,000, Indiana, \$53,000, Iowa, \$55,000, Kansas, \$55,000, Kentucky, \$52,000, Louisiana, \$56,000, Maine, \$48,000, Maryland, \$40,000, Massachusetts, \$51,000, Michigan, \$59,000, Minnesota, \$56,000, Mississippi, \$54,000, Missouri, \$57,000, Montana, \$62,000, Nebraska, \$56,000, Nevada, \$64,000, New Hampshire, \$45,000, New Jersey, \$48,000, New Mexico, \$60,000, New York, \$76,000, North Carolina, \$50,000, North Dakota, \$55,000, Ohio, \$64,000, Oklahoma, \$58,000, Oregon, \$66,000, Pennsylvania, \$63,000, Rhode Island, \$43,000, South Carolina, \$48,000, South Dakota, \$56,000, Tennessee, \$53,000, Texas, \$79,000, Utah, \$62,000, Vermont, \$44,000, Virginia, \$45,000, Washington, \$68,000, West Virginia, \$44,000, Wisconsin, \$55,000, Wyoming, \$58,000, plus

"(iv) the aggregate of the gross compensation which may be paid to employees in the office of such Senator for such fiscal year, under the limitations imposed by section 105(d) of the Legislative Branch Appropriation Act, 1968, but without regard to the provisions of paragraph (1)(C)(iv) thereof.

"(B) In the event that the term of office of a Senator begins after the first month of any such fiscal year or ends (except by reason of death, resignation, or expulsion) before the last month of any such fiscal year, the amount referred to in subparagraph (A)(iii) shall be recalculated as follows: such amount, as computed under subparagraph (iii), shall be divided by 12, and multiplied by the number of months in such year which are included in the Senator's term of office, counting any fraction of a month as a full month."

(3) Effective January 1, 1988, section 506(h) of the Supplemental Appropriations Act, 1973 (2 U.S.C. 58(h)) is amended—

(A) by striking out paragraph (2) thereof and by striking out "(1)" where it appears immediately after "(h)"; and

(B) by striking out "(a)(5)" and inserting "(a)(4)".

(4) Effective January 1, 1988, subsection (e) of section 506 of such Act (2 U.S.C. 58e) is amended to read as follows:

"(e) Subject to and in accordance with regulations promulgated by the Committee on Rules and Administration of the Senate, a Senator and the employees in his office shall be reimbursed under this section for travel expenses incurred by the Senator or employee while traveling on official business within the United States. The term 'travel expenses' includes actual transportation expenses, essential travel-related expenses, and, where applicable, per diem expenses (but not in excess of actual expenses). A Senator or an employee of the Senator shall not be reimbursed for any travel expenses (other than actual transportation expenses) for any travel occurring during the sixty days immediately before the date of any primary or general election (whether regular, special, or runoff) in which the Senator is a candidate for public office (within the meaning of section 301(b) of the Federal Election Campaign Act of 1971), unless his candidacy in such election is uncontested. For purposes of this subsection and subsection (a)(6) of this section, an employee in the Office of the President pro tempore, Deputy President pro tempore, Majority Leader, Minority Leader, Majority Whip, Minority Whip, Secretary of the Conference of the Majority, or Secretary of the Conference of the Minority shall be considered to be an employee in the office of the Senator holding such office."

(5) Effective January 1, 1988, the first sentence of subsection (j) of section 506 (2 U.S.C. 58(j)) of such Act is amended by striking out "(a)(8)" and inserting in lieu thereof "(a)(6)".

(c)(1) Effective January 1, 1988, section 105(d)(1) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 61-1(d)(1)) is amended—

(A) by striking out "The" at the beginning of paragraph (1) and inserting in lieu thereof "(A) Except as is otherwise provided in subparagraphs (B) and (C), the", and

(B) by adding at the end of paragraph (1) the following new subparagraphs:

"(B) In the case of gross compensation paid to employees in the office of a Senator for the period commencing January 1, 1988, and ending September 30, 1988, the total of—

"(i) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for such period, plus

"(ii) the expenses paid to or on behalf of such Senator under authority of section 506 of the Supplemental Appropriations Act, 1973 (as determined after application of subsection (b) of such section, but without regard to paragraph (2)(A) (iv) thereof),

shall not exceed the aggregate of—

"(iii) subject to the next sentence, the amount by which (I) the aggregate of the gross compensation which may be paid to employees in the office of such Senator for the fiscal year ending September 30, 1988, as determined under this subsection (but without regard to this subparagraph), exceeds (II) the aggregate amount of gross compensation which is paid to employees in

the office of such Senator for that part of such fiscal year which precedes January 1, 1988, plus

"(iv) the amount described in section 506(b)(2)(A) (iii) of the Supplemental Appropriations Act, 1973.

In the event that the term of office of a Senator begins after the first month of the period which commences January 1, 1988, and ends September 30, 1988, or ends (except by reason of death, resignation, or expulsion) before the last month of such period, the amount computed pursuant to clause (iii) of this subparagraph (but before application of this sentence) shall be recalculated as follows: such amount, as so computed, shall be divided by 9, and multiplied by the number of months in such period which are included in the Senator's term of office, counting any fraction of a month as a full month.

"(C) In the case of gross compensation paid to employees in the office of a Senator for the fiscal year beginning October 1, 1988, or any fiscal year thereafter, the total of—

"(i) the aggregate amount of gross compensation which is paid to employees in the office of such Senator for such year, plus

"(ii) the expenses paid to or on behalf of such Senator under authority of section 506 of the Supplemental Appropriations Act, 1973 (as determined after application of subsection (b) of such section, but without regard to paragraph (3)(A) (ii) and (iv) thereof),

shall not exceed the aggregate of—

"(iii) the amount determined under subparagraph (A) for such year, plus

"(iv) the amount described in section 506(b)(3) of the Supplemental Appropriations Act, 1973 (as determined without regard to subparagraph (A) (ii) and (iv) thereof)."

Sec. 2. Section 110 of the Supplemental Appropriations and Rescission Act, 1981 (Public Law 97-12; 2 U.S.C. 58b) is repealed effective January 1, 1988.

Sec. 3. Subsection (b) of section 111 of the Legislative Appropriations Act, 1978 (Public Law 95-94) is repealed, effective as of the first day of the 100th Congress.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE ARIAS PEACE PLAN

(Mr. SLATTERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SLATTERY. Mr. Speaker, the Arias peace plan is a good one, but it can be made even better. The United States can and should seek to perfect it. It can do so by pressing for bilateral negotiations with Nicaragua as part of the peace process. Addressing United States security concerns in the region is vital to peace in Central America. We should not miss this opportunity to at the very least obtain the removal of Soviet military advisers in Nicaragua.

At the same time, it is also important for President Ortega of Nicaragua to work out a legitimate cease-fire with the Contras. Cardinal Obando y

Bravo as head of the reconciliation commission is crucial to a true cease-fire negotiation. Timing will be very important. But at some point very soon, certainly before November 7, we all need to deal. The United States should negotiate for a Soviet-free Central America. The Sandinistas should negotiate for a genuine cease-fire in Nicaragua.

Let us not miss this historic opportunity to contribute to the peace process. Otherwise we will have no one but ourselves to blame if on November 7, 1987, the Soviet military advisers still remain in Nicaragua.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2260

Mr. ROE. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of the bill, H.R. 2260.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 1988

Mr. ROE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2782) to authorize appropriations to the National Aeronautics and Space Administration for research and development; space flight, control and data communications; construction of facilities; and research and program management; and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment and the House amendment to the Senate amendment, as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Sec. 101. This title may be cited as the "National Aeronautics and Space Administration Authorization Act, 1988".

Sec. 102. There is authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1987:

(a) For "Research and development", for the following programs:

- (1) Space station, \$767,000,000;
- (2) Space transportation capability development, \$592,600,000;
- (3) Physics and astronomy, \$591,800,000;
- (4) Life sciences, \$74,600,000;
- (5) Planetary exploration, \$307,300,000;
- (6) Space applications, \$651,400,000;
- (7) Technology utilization, \$18,300,000;
- (8) Commercial use of space, \$30,700,000;
- (9) Aeronautical research and technology, \$375,000,000;

(10) Transatmospheric research and technology, \$66,000,000;

(11) Space research and technology, \$212,000,000;

(12) Safety, reliability and quality assurance, \$16,200,000; and

(13) Tracking and data advanced systems, \$18,100,000.

(b) For "Space flight, control and data communications", for the following programs:

(1) Space shuttle production and operational capability, \$1,150,600,000;

(2) Space transportation operations, \$1,885,800,000;

(3) Space and ground network, communications and data systems, \$944,900,000; and

(4) Expendable launch vehicle operations, \$100,000,000.

(c) For "Construction of facilities", including land acquisition, as follows:

(1) Construction of LC 39 Operations Support Building, Kennedy Space Center, \$17,000,000;

(2) Construction of Spacecraft Systems Development and Integration Facility, Goddard Space Flight Center, \$8,600,000;

(3) Modifications for utility reliability, Goddard Space Flight Center, \$2,900,000;

(4) Construction of Integrated Test Facility, Dryden Flight Research Facility, \$10,500,000;

(5) Modifications to Hypersonic Propulsion Facility for Vacuum Systems, Langley Research Center, \$3,100,000;

(6) Construction of addition to the Research Analysis Center, Lewis Research Center, \$9,800,000;

(7) Modifications for Fan/Compressor Research, Engine Research Building, Lewis Research Center, \$6,500,000;

(8) Construction of Communications Development Antenna, Goldstone, California, Jet Propulsion Laboratories, \$6,400,000;

(9) Repair of facilities at various locations, not in excess of \$750,000 per project, \$25,000,000;

(10) Rehabilitation and modification of facilities at various locations, not in excess of \$750,000 per project, \$32,000,000;

(11) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$500,000 per project, \$8,000,000;

(12) Environmental compliance and restoration, \$23,900,000;

(13) Repair and modernization of the 12-foot pressure wind tunnel at the Ames Research Center, \$41,000,000; and

(14) Facility planning and design not otherwise provided for, \$16,000,000.

(d) For "Research and program management", \$1,598,000,000.

(e) Notwithstanding the provisions of subsection (h), appropriations authorized in this Act for "Research and development" and "Space flight, control and data communications" may be used for (1) any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the Administration for the performance of research and development contracts, and (2) grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under

such conditions as the Administrator shall determine to be required to ensure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" and "Space flight, control and data communications" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which, including collateral equipment, exceeds \$500,000, unless the Administrator or the Administrator's designee has notified the President of the Senate and the Speaker of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives of the nature, location, and estimated cost of such facility.

(f) When so specified and to the extent provided in an appropriation Act, (1) any amount appropriated for "Research and development," or "Space flight, control and data communications" or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of 12 months beginning at any time during the fiscal year.

(g) Appropriations made pursuant to subsection (d) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator, and the Administrator's determination shall be final and conclusive upon the accounting officers of the Government.

(h) Of the funds appropriated pursuant to subsections (a), (b), and (d), not in excess of \$100,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and for repair, rehabilitation, or modification of facilities: *Provided*, That, of the funds appropriated pursuant to subsection (a) or (b), not in excess of \$500,000 for each project, including collateral equipment, may be used for any of the foregoing for unforeseen programmatic needs: *And provided further*, That, of the funds appropriated pursuant to subsection (d), not in excess of \$500,000 per project, including collateral equipment, may be used for repair, rehabilitation or modification of facilities controlled by the General Services Administration.

Sec. 103. Authorization is granted whereby any of the amounts prescribed in paragraphs (1) through (13) of section 102(c) of this title—

(1) in the discretion of the Administrator or the Administrator's designee, may be varied upward 10 percent, or

(2) following a report by the Administrator or the Administrator's designee to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives on the circumstances of such action, may be varied upward 25 percent, to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

Sec. 104. Not to exceed one-half of 1 percent of the funds appropriated pursuant to section 102(a) or (b) of this title may be transferred to and merged with the "Construction of facilities" appropriation, and

when so transferred, together with \$10,000,000 of funds appropriated pursuant to section 102(c) of this title (other than funds appropriated pursuant to paragraph (14) of such section) shall be available for expenditure to construct, expand, and modify laboratories and other installations at any location (including locations specified in section 102(c)), if (1) the Administrator determines that such action is necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) the Administrator determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditures or expended to construct, expand, or modify laboratories and other installations unless a period of 30 days has passed after the Administrator or the Administrator's designee has transmitted to the President of the Senate and to the Speaker of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives a written report containing a full and complete statement concerning (A) the nature of such construction, expansion, or modification, (B) the cost thereof including the cost of any real estate action pertaining thereto, and (C) the reason why such construction, expansion, or modification is necessary in the national interest.

Sec. 105. Notwithstanding any other provision of this title, no amount appropriated pursuant to this title may be used for any program—

(1) deleted by the Congress from requests as originally made either to the Committee on Commerce, Science, and Transportation of the Senate or the Committee on Science and Technology of the House of Representatives;

(2) in excess of the amount actually authorized for that particular program by section 102(a), (b), and (d); and

(3) which has not been presented to either such committee,

unless a period of 30 days has passed after the receipt by the President of the Senate and the Speaker of the House of Representatives and each such committee of notice given by the Administrator or the Administrator's designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

Sec. 106. No civil space station authorized under section 102(a)(1) of this title may be used to carry or place in orbit any nuclear weapon or any other weapon of mass destruction, to install any such weapon on any celestial body, or to station any such weapon in space in any other manner. This civil space station may be used only for peaceful purposes.

Sec. 107. It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore

ways and means of distributing its research and development funds whenever feasible.

Sec. 108. Section 24 of the Commercial Space Launch Act (49 App. U.S.C. 2623) is amended by adding at the end thereof the following: "There is authorized to be appropriated to the Secretary to carry out this Act \$4,550,000 for fiscal year 1988."

Sec. 109. (a) Section 201(a) of the National Aeronautics and Space Act of 1958 is amended—

(1) by striking "Aeronautics and";

(2) in paragraph (6), by striking the period and inserting in lieu thereof ", who shall be the Vice Chairman of the Council; and"; and

(3) by adding at the end thereof the following:

"(7) such other members as the President may appoint."

(b) Section 201(b) of the National Aeronautics and Space Act of 1958 is amended to read as follows:

"(b) In the absence of the Vice President, the Administrator shall preside over meetings of the Council."

(c) Section 201(c) of the National Aeronautics and Space Act of 1958 is amended to read as follows:

"(c) Each member of the Council may designate an officer of their department or agency to serve on the Council as their alternative in their unavoidable absence."

(d) Section 201(d) of the National Aeronautics and Space Act of 1958 is amended by striking "by and with the advice and consent of the Senate".

(e) Section 201(e) of the National Aeronautics and Space Act of 1958 is amended by striking all after "with respect to" and inserting in lieu thereof the following: "the following functions:

"(1) survey of ongoing civilian space activities;

"(2) review of long-range goals for civilian space activities;

"(3) coordination of civilian space activities among civilian agencies and with agencies involved in national security space activities; and

"(4) interagency cooperation in civilian space activities."

(f) Section 201 of the National Aeronautics and Space Act of 1958 is amended by adding at the end thereof the following:

"(g)(1) The Council shall establish a Users' Advisory Group composed of nine non-Federal representatives of industries and other persons involved in space activities.

"(2) The Vice President shall name a Chairman of the Users' Advisory Group.

"(3) The Council shall from time to time, but not less often than once a year, meet with the Users' Advisory Group.

"(4) The function of the Users' Advisory Group is to ensure that the interests of non-Federal entities involved in space activities, including in particular commercial entities, are adequately represented in the Council."

Sec. 110. Title II of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.) is amended by adding at the end the following:

"DONATIONS FOR SPACE SHUTTLE ORBITER

"Sec. 208. (a) The Administrator may accept gifts and donations of services, money, and real, personal, tangible, and intangible property, and use such gifts and donations for the construction of a space shuttle orbiter.

"(b)(1) The authority of the Administrator to accept gifts or donations pursuant to

subsection (a) of this section shall terminate five years after the date of the enactment of this section.

"(2) All gifts and donations accepted by the Administrator pursuant to subsection (a) of this section which are not needed for construction of a space shuttle orbiter shall be used by the Administrator for an appropriate purpose—

"(A) in tribute to the dedicated crew of the space shuttle Challenger; and

"(B) in furtherance of the exploration of space.

"(c) The name of a space shuttle orbiter constructed in whole or in part with gifts or donations whose acceptance and use are authorized by subsection (a) of this section shall be selected by the Administrator of the National Aeronautics and Space Administration from among suggestions submitted by students in elementary and secondary schools."

SEC. 111. (a) It is the sense of the Congress that the United States must promptly restore its space transportation capabilities, and such restoration must be accomplished without deemphasizing other space programs.

(b) The Administrator shall take the necessary steps to return safely the space shuttle fleet to flight status.

(c) There are authorized to be appropriated for fiscal year 1988 such sums as may be necessary to carry out this section.

SEC. 112. Title III of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.) is amended by adding at the end the following:

"CONTRACTS REGARDING EXPENDABLE LAUNCH VEHICLES

"SEC. 311. (a) Notwithstanding any other provision of law, the Administrator may enter into contracts for expendable launch vehicle services that are for periods in excess of the period for which funds are otherwise available for obligation, provide for the payment for contingent liability which may accrue in excess of available appropriations in the event the Government for its convenience terminates such contracts, and provide for advance payments reasonably related to launch vehicle and related equipment, fabrication and acquisition costs, if any such contract limits the amount of the payments that the Federal Government is allowed to make under such contract to amounts provided in advance in appropriation Acts. Such contracts may be limited to sources within the United States when the Administrator determines that such limitation is in the public interest.

"(b) If the funds are not available to continue any such contract, the contract shall be terminated for the convenience of the Government, and the costs of such contract shall be paid from appropriations originally available for performance of the contract, from other, unobligated appropriations currently available for the procurement of launch services, or from funds appropriated for such payments."

TITLE II—NATIONAL SPACE GRANT COLLEGE AND FELLOWSHIP PROGRAM

SEC. 201. This title may be cited as the "National Space Grant College and Fellowship Act".

SEC. 202. The Congress finds that—

(1) the vitality of the Nation and the quality of life of the citizens of the Nation depend increasingly on the understanding, assessment, development, and utilization of space resources;

(2) research and development of space science, space technology, and space commercialization will contribute to the quality of life, national security, and the enhancement of commerce;

(3) the understanding and development of the space frontiers require a broad commitment and an intense involvement on the part of the Federal Government in partnership with State and local governments, private industry, universities, organizations, and individuals concerned with the exploration and utilization of space;

(4) the National Aeronautics and Space Administration, through the national space grant college and fellowship program, offers the most suitable means for such commitment and involvement through the promotion of activities that will result in greater understanding, assessment, development, and utilization; and

(5) Federal support of the establishment, development, and operation of programs and projects by space grant colleges, space grant regional consortia, institutions of higher education, institutes, laboratories, and other appropriate public and private entities is the most cost-effective way to promote such activities.

SEC. 203. The purposes of this title are to—

(1) increase the understanding, assessment, development, and utilization of space resources by promoting a strong educational base, responsive research and training activities, and broad and prompt dissemination of knowledge and techniques;

(2) utilize the capabilities and talents of the universities of the Nation to support and contribute to the exploration and development of the resources and opportunities afforded by the space environment;

(3) encourage and support the existence of interdisciplinary and multidisciplinary programs of space research within the university community of the Nation, to engage in integrated activities of training, research and public service, to have cooperative programs with industry, and to be coordinated with the overall program of the National Aeronautics and Space Administration;

(4) encourage and support the existence of consortia, made up of university and industry members, to advance the exploration and development of space resources in cases in which national objectives can be better fulfilled than through the programs of single universities;

(5) encourage and support Federal funding for graduate fellowships in fields related to space; and

(6) support activities in colleges and universities generally for the purpose of creating and operating a network of institutional programs that will enhance achievements resulting from efforts under this title.

SEC. 204. As used in this title, the term—

(1) "Administration" means the National Aeronautics and Space Administration;

(2) "Administrator" means the Administrator of the National Aeronautics and Space Administration;

(3) "aeronautical and space activities" has the meaning given to such term in section 103(1) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2452(1));

(4) "field related to space" means any academic discipline or field of study (including the physical, natural, and biological sciences, and engineering, space technology, education, economics, sociology, communications, planning, law, international affairs, and public administration) which is concerned with or likely to improve the under-

standing, assessment, development, and utilization of space;

(5) "panel" means the space grant review panel established pursuant to section 210 of this title;

(6) "person" means any individual, any public or private corporation, partnership, or other association or entity (including any space grant college, space grant regional consortium, institution of higher education, institute, or laboratory), or any State, political subdivision of a State, or agency or officer of a State or political subdivision of a State;

(7) "space environment" means the environment beyond the sensible atmosphere of the Earth;

(8) "space grant college" means any public or private institution of higher education which is designated as such by the Administrator pursuant to section 208 of this title;

(9) "space grant program" means any program which—

(A) is administered by any space grant college, space grant regional consortium, institution of higher education, institute, laboratory, or State or local agency; and

(B) includes two or more projects involving education and one or more of the following activities in fields related to space:

(i) research,

(ii) training, or

(iii) advisory services;

(10) "space grant regional consortium" means any association or other alliance which is designated as such by the Administrator pursuant to section 208 of this title;

(11) "space resource" means any tangible or intangible benefit which can only be realized from—

(A) aeronautical and space activities; or

(B) advancements in any field related to space; and

(12) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Mariana Islands, or any other territory or possession of the United States.

SEC. 205. (a) The Administrator shall establish and maintain, within the Administration, a program to be known as the national space grant college and fellowship program. The national space grant college and fellowship program shall consist of the financial assistance and other activities provided for in this title. The Administrator shall establish long-range planning guidelines and priorities, and adequately evaluate the program.

(b) Within the Administration, the program shall—

(1) apply the long-range planning guidelines and the priorities established by the Administrator under subsection (a) of this section;

(2) advise the Administrator with respect to the expertise and capabilities which are available through the national space grant college and fellowship program, and make such expertise available to the Administration as directed by the Administrator;

(3) evaluate activities conducted under grants and contracts awarded pursuant to sections 206 and 207 of this title to assure that the purpose set forth in section 203 of this title is implemented;

(4) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the national space grant college and fellowship program, on a cooperative or other basis;

(5) encourage cooperation and coordination with other Federal programs concerned with the development of space resources and fields related to space;

(6) advise the Administrator on the designation of recipients supported by the national space grant college and fellowship program and, in appropriate cases, on the termination or suspension of any such designation; and

(7) encourage the formation and growth of space grant and fellowship programs.

(c) To carry out the provisions of this title, the Administrator may—

(1) accept conditional or unconditional gifts or donations of services, money, or property, real, personal or mixed, tangible or intangible;

(2) accept and use funds from other Federal departments, agencies, and instrumentalities to pay for fellowships, grants, contracts, and other transactions; and

(3) issue such rules and regulations as may be necessary and appropriate.

Sec. 206. (a) The Administrator may make grants and enter into contracts or other transactions under this subsection to assist any space grant and fellowship program or project if the Administrator finds that such program or project will carry out the purposes set forth in section 203 of this title. The total amount paid pursuant to any such grant or contract may equal 66 percent, or any lesser percent, of the total cost of the space grant and fellowship program or project involved, except that this limitation shall not apply in the case of grants or contracts paid for with funds accepted by the Administrator pursuant to section 205(c)(2) of this title.

(b) The Administrator may make special grants under this subsection to carry out the purpose set forth in section 203 of this title. The amount of any such grant may equal 100 percent, or any lesser percent, of the total cost of the project involved. No grant may be made under this subsection, unless the Administrator finds that—

(1) no reasonable means is available through which the applicant can meet the matching requirement for a grant under subsection (a) of this section;

(2) the probable benefit of such project outweighs the public interest in such matching requirement; and

(3) the same or equivalent benefit cannot be obtained through the award of a contract or grant under subsection (a) of this section or section 207 of this title.

(c) Any person may apply to the Administrator for a grant or contract under this section. Application shall be made in such form and manner, and with such content and other submissions, as the Administrator shall by regulation prescribe.

(d)(1) Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in paragraphs (2) and (3) of this subsection and to such other terms, conditions and requirements as the Administrator considers necessary or appropriate.

(2) No payment under any grant or contract under this section may be applied to—

(A) the purchase of any land;

(B) the purchase, construction, preservation, or repair of any building; or

(C) the purchase or construction of any launch facility or launch vehicle.

(3) Notwithstanding paragraph (2) of this subsection, the items in subparagraphs (A), (B) and (C) of such paragraph may be leased upon written approval of the Administrator.

(4) Any person who receives or utilizes any proceeds of any grant or contract under this section shall keep such records as the Administrator shall by regulation prescribe as being necessary and appropriate to facilitate effective audit and evaluation, including records which fully disclose the amount and disposition by such recipient of such proceeds, the total cost of the program or project in connection with which such proceeds were used, and the amount, if any, of such cost which was provided through other sources. Such records shall be maintained for three years after the completion of such a program or project. The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and evaluation, to any books, documents, papers and records of receipts which, in the opinion of the Administrator or the Comptroller General, may be related or pertinent to such grants or contracts.

Sec. 207. (a) The Administrator shall identify specific national needs and problems relating to space. The Administrator may make grants or enter into contracts under this section with respect to such needs or problems. The amount of any such grant or contract may equal 100 percent, or any lesser percent, of the total cost of the project involved.

(b) Any person may apply to the Administrator for a grant or contract under this section. In addition, the Administrator may invite applications with respect to specific national needs or problems identified under subsection (a) of this section. Application shall be made in such form and manner, and with such content and other submissions, as the Administrator shall by regulation prescribe. Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in section 206(d)(2) and (4) of this title and to such other terms, conditions and requirements as the Administrator considers necessary or appropriate.

Sec. 208. (a)(1) The Administrator may designate—

(A) any institution of higher education as a space grant college; and

(B) any association or other alliance of two or more persons, other than individuals, as a space grant regional consortium.

(2) No institution of higher education may be designated as a space grant college, unless the Administrator finds that such institution—

(A) is maintaining a balanced program of research, education, training, and advisory services in fields related to space;

(B) will act in accordance with such guidelines as are prescribed under subsection (b)(2) of this section; and

(C) meets such other qualifications as the Administrator considers necessary or appropriate.

(3) No association or other alliance of two or more persons may be designated as a space grant regional consortium, unless the Administrator finds that such association or alliance—

(A) is established for the purpose of sharing expertise, research, educational facilities or training facilities, and other capabilities in order to facilitate research, education training, and advisory services, in any field related to space;

(B) will encourage and follow a regional approach to solving problems or meeting needs relating to space, in cooperation with appropriate space grant colleges, space grant programs, and other persons in the region;

(C) will act in accordance with such guidelines as are prescribed under subsection (b)(2) of this section; and

(D) meets such other qualifications as the Administrator considers necessary or appropriate.

(b) The Administrator shall by regulation prescribe—

(1) the qualifications required to be met under subsection (a)(2)(C) and (3)(D) of this section; and

(2) guidelines relating to the activities and responsibilities of space grant colleges and space grant regional consortia.

(c) The Administrator may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a) of this section.

Sec. 209. (a) The Administrator shall support a space grant fellowship program to provide educational and training assistance to qualified individuals at the graduate level of education in fields related to space. Such fellowships shall be awarded pursuant to guidelines established by the Administrator. Space grant fellowships shall be awarded to individuals at space grant colleges, space grant regional consortia, other colleges and institutions of higher education, professional associations and institutes in such a manner as to assure wide geographic and institutional diversity in the pursuit of research under the fellowship program.

(b) The total amount which may be provided for grants under the space grant fellowship program during any fiscal year shall not exceed an amount equal to 50 percent of the total funds appropriated for such year pursuant to this title.

(c) Nothing in this section shall be construed to prohibit the Administrator from sponsoring any research fellowship program, including any special emphasis program, which is established under an authority other than this title.

Sec. 210. (a) The Administrator shall establish an independent committee known as the space grant review panel, which shall not be subject to the provisions of the Federal Advisory Committee Act (5 App. U.S.C. 1 et seq.; Public Law 92-463).

(b) The panel shall take such steps as may be necessary to review, and shall advise the Administrator with respect to—

(1) applications or proposals for, and performance under, grants and contracts awarded pursuant to sections 206 and 207 of this title;

(2) the space grant fellowship program;

(3) the designation and operation of space grant colleges and space grant regional consortia, and the operation of space grant and fellowship programs;

(4) the formulation and application of the planning guidelines and priorities pursuant to section 205 (a) and (b)(1) of this title; and

(5) such other matters as the Administrator refers to the panel for review and advice.

(c) The Administrator shall make available to the panel any information, personnel and administrative services and assistance which is reasonable to carry out the duties of the panel.

(d)(1) The Administrator shall appoint the voting members of the panel. A majority of the voting members shall be individuals who, by reason of knowledge, experience or training, are especially qualified in one or more of the disciplines and fields related to space. The other voting members shall be individuals who, by reason of knowledge, experience or training, are especially qualified in, or representative of, education, extension services, State govern-

ment, industry, economics, planning or any other activity related to efforts to enhance the understanding, assessment, development or utilization of space resources. The Administrator shall consider the potential conflict of interest of any individual in making appointments to the panel.

(2) The Administrator shall select one voting member to serve as the Chairman and another voting member to serve as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman.

(3) Voting members of the panel who are not Federal employees shall be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

(4) The panel shall meet on a biannual basis and, at any other time, at the call of the Chairman or upon the request of a majority of the voting members or of the Administrator.

(5) The panel may exercise such powers as are reasonably necessary in order to carry out the duties enumerated in subsection (b) of this section.

Sec. 211. Each department, agency or other instrumentality of the Federal Government which is engaged in or concerned with, or which has authority over, matters relating to space—

(1) may, upon a written request from the Administrator, make available, on a reimbursable basis or otherwise, any personnel (with their consent and without prejudice to their position and rating), service or facility which the Administrator considers necessary to carry out any provision of this title;

(2) shall, upon a written request from the Administrator, furnish any available data or other information which the Administrator considers necessary to carry out any provision of this title; and

(3) shall cooperate with the Administration.

Sec. 212. (a) The Administrator shall submit to the Congress and the President, not later than January 1, 1989, and not later than February 15 of every odd-numbered year thereafter, a report on the activities of the national space grant and fellowship program.

(b) The Director of the Office of Management and Budget and the Director of the Office of Science and Technology Policy in the Executive Office of the President shall have the opportunity to review each report prepared pursuant to subsection (a) of this section. Such Directors may submit, for inclusion in such report, comments and recommendations and an independent evaluation of the national space grant college and fellowship program. Such comments and recommendations shall be submitted to the Administrator not later than 90 days before such a report is submitted pursuant to subsection (a) of this section and the Administrator shall include such comments and recommendations as a separate section in such report.

Sec. 213. The Administrator shall not under this title designate any space grant college or space grant regional consortium or award any fellowship, grant, or contract unless such designation or award is made in accordance with the competitive, merit-based review process employed by the Administration on the date of enactment of this Act.

Sec. 214. (a) There are authorized to be appropriated for the purposes of carrying out the provisions of this title sums not to exceed—

(1) \$10,000,000 for each of fiscal years 1988 and 1989; and

(2) \$15,000,000 for each of fiscal years 1990 and 1991.

(b) Such sums as may be appropriated under this section shall remain available until expended.

TITLE III—AMENDMENTS TO THE LAND REMOTE-SENSING COMMERCIALIZATION ACT OF 1984

Sec. 301. This title may be cited as the "Land Remote-Sensing Commercialization Act Amendments of 1987".

Sec. 302. The Congress finds and declares that—

(1) the implementation of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4201 et seq.) has begun and some of the major milestones contained in that Act have been met;

(2) Congress remains strongly committed to the guiding principles set forth in that Act;

(3) notwithstanding the accomplishments thus far, the relationships among the involved Federal agencies and the private sector have not yet been adequately defined; and

(4) inasmuch as the technical development and commercial applications of future land remote-sensing systems cannot now be predicted with certainty, it is in the national interest of the United States that the involved Federal agencies and the private sector remain flexible in carrying out their respective responsibilities under that Act.

Sec. 303. It is therefore the purpose of this title to set forth amendments to the Land Remote-Sensing Commercialization Act of 1984 to ensure that—

(1) the original intent of that Act is carried out in the most effective manner consistent with the guiding principles expressed therein;

(2) specific mechanisms for carrying out the original intent of that Act are provided in those cases where none have materialized thus far; and

(3) the working relationships among involved Federal agencies and private sector parties for the purpose of carrying out that Act are fully developed and mutually understood.

Sec. 304. Section 202(a)(4) of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4212(a)(4)) is amended by inserting before the semicolon at the end thereof the following: ", except in the case of research and development activities conducted in accordance with section 504".

Sec. 305. Title III of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4221 et seq.) is amended by adding at the end thereof the following new section:

"DISPOSITION OF GOVERNMENT ASSETS

"Sec. 308. Following the completion of a contract made pursuant to this title, the Secretary may, upon 30 days advance notice to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Science and Technology of the House of Representatives, dispose of assets (other than real property) under the control of the Secretary in a manner which best ensures the continuation of the contractor's commercial activity."

Sec. 306. Section 502 of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4262) is amended to read as follows:

"RESEARCH AND DEVELOPMENT ACTIVITIES OF FEDERAL AGENCIES

"Sec. 502. Each Federal agency is authorized and encouraged to provide data gathered in experimental remote-sensing space programs to related research and develop-

ment programs funded by the Federal Government (including application programs) and to cooperative research programs if the Federal agency involved determines that the data will not be used—

"(1) for any commercial purpose, or

"(2) in substantial competition with data available from a licensee under this Act, except pursuant to section 503."

Sec. 307. Title V of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4261 et seq.) is amended by adding at the end thereof the following new section:

"RESEARCH AND DEVELOPMENT ACTIVITIES OF SYSTEM OPERATORS

"Sec. 504. Notwithstanding section 601, any system operator under title II, III, or IV of this Act, or any marketing entity under section 503 of this Act, may provide data for any research and development programs if—

"(1) a complete and timely disclosure of the results of such research and development is made in the open technical literature or is otherwise made publicly available;

"(2) the system operator or marketing entity provides to the Secretary an annual report of all research and development data transactions including the nature of any cooperative agreements and the prices charged for data; and

"(3) the data are not used for commercial purposes or in substantial competition with data available from a licensee under this Act."

Sec. 308. Section 603 of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4273) is amended to read as follows:

"NONREPRODUCTION

"Sec. 603. In addition to such other terms and conditions as the system operator may set forth in compliance with section 601 of this Act, the system operator may require that unenhanced data not be reproduced or disseminated by any foreign or domestic purchaser."

House amendment to Senate amendment: In lieu of the matter proposed to be inserted, insert the following:

That this Act may be cited as the "National Aeronautics and Space Administration Authorization Act of 1988".

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Sec. 101. (a) There is authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1987, for "Research and development", for the following programs:

(1) Permanently manned space station, \$767,000,000;

(2) Space transportation capability development, \$553,600,000;

(3) Physics and astronomy, \$581,800,000;

(4) Life sciences, \$74,600,000;

(5) Planetary exploration, \$320,300,000, of which \$42,300,000 is authorized only for the purpose of preparing the Mars Observer spacecraft for launch in 1992 and for procuring spare parts for a Planetary Observer program;

(6) Space applications, \$651,400,000, of which \$84,000,000 is authorized only for the Advanced Communications Technology Satellite;

(7) Technology utilization, \$18,300,000;

(8) Commercial use of space, \$30,700,000;

(9) Aeronautical research and technology, \$387,000,000;

(10) Transatmospheric research and technology, \$66,000,000;

(11) Space research and technology, \$234,000,000;

(12) Safety, reliability, and quality assurance, \$16,200,000; and

(13) Tracking and data advanced systems, \$18,100,000.

(b) There is authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1987, for "Space flight, control and data communications", for the following programs:

(1) Space shuttle production and operational capability, \$1,174,600,000, of which \$76,000,000 is authorized only for initial lay-in spare parts for the space shuttle orbiter;

(2) Space transportation operations, \$1,885,800,000, of which \$106,700,000 is authorized only for flight spare parts for the space shuttle orbiter;

(3) Space and ground network, communications, and data systems, \$924,900,000; and

(4) Expendable launch vehicle operations, \$60,000,000.

(c) There is authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1987, for "Construction of facilities", including land acquisition, as follows:

(1) Construction of LC 39 Operations Support Building, Kennedy Space Center, \$22,800,000;

(2) Construction of Spacecraft Systems Development and Integration Facility, Goddard Space Flight Center, \$8,600,000;

(3) Modifications for utility reliability, Goddard Space Flight Center, \$2,900,000;

(4) Construction of Integrated Test Facility, Dryden Flight Research Facility, \$10,500,000;

(5) Modifications to Hypersonic Propulsion Facility for Vacuum Systems, Langley Research Center, \$3,100,000;

(6) Construction of addition to the Research Analysis Center, Lewis Research Center, \$9,800,000;

(7) Modifications for Fan/Compressor Research, Engin. Research Building, Lewis Research Center, \$6,500,000;

(8) Construction of Communications Development Antenna, Goldstone, California, Jet Propulsion Laboratories, \$6,400,000;

(9) Repair of facilities at various locations, not in excess of \$750,000 per project, \$25,000,000;

(10) Rehabilitation and modification of facilities at various locations, not in excess of \$750,000 per project, \$32,000,000;

(11) Minor construction of new facilities and additions to existing facilities at various locations, not in excess of \$500,000 per project, \$8,000,000;

(12) Environmental compliance and restoration, \$23,900,000;

(13) Repair and modernization of the 12-foot pressure wind tunnel at the Ames Research Center, \$41,000,000; and

(14) Facility planning and design not otherwise provided for, \$16,000,000.

(d) There is authorized to be appropriated to the National Aeronautics and Space Administration to become available October 1, 1987, for "Research and program management", \$1,583,000,000.

(e) The Administrator is authorized (to the extent provided in an appropriation Act) to transfer \$22,000,000 from any funds which were made available for prior years, and which remain unobligated as of the date of the enactment of this Act, except for funds made available for Aeronautical and Space Research and Technology, Trans-atmospheric Research and Technology programs, Construction of Facilities activities,

and Research and Program Management activities for the support of such programs, and use such funds for the preparation of the Mars Observer spacecraft for launch in 1992.

(f) Notwithstanding the provisions of subsection (h), appropriations authorized in this Act for "Research and development" and "Space flight, control and data communications" may be used for (1) any items of a capital nature (other than acquisition of land) which may be required at locations other than installations of the National Aeronautics and Space Administration (hereinafter in this title referred to as the "Administrator") for the performance of research and development contracts, and (2) grants to nonprofit institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities; and title to such facilities shall be vested in the United States unless the Administrator of the National Aeronautics and Space Administration (hereinafter in this title referred to as the "Administrator") determines that the national program of aeronautical and space activities will best be served by vesting title in any such grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to ensure that the United States will receive therefrom benefit adequate to justify the making of that grant. None of the funds appropriated for "Research and development" and "Space flight, control and data communications" pursuant to this Act may be used in accordance with this subsection for the construction of any major facility, the estimated cost of which including collateral equipment, exceeds \$500,000, unless the Administrator or the Administrator's designee has notified the President of the Senate and the Speaker of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives of the nature, location, and estimated cost of such facility.

(g) When so specified and to the extent provided in an appropriation Act, (1) any amount appropriated for "Research and development", for "Space flight, control and data communications", or for "Construction of facilities" may remain available without fiscal year limitation, and (2) maintenance and operation of facilities and support services contracts may be entered into under the "Research and program management" appropriation for periods not in excess of 12 months beginning at any time during the fiscal year.

(h) Appropriations made pursuant to subsection (d) may be used, but not to exceed \$35,000, for scientific consultations or extraordinary expenses upon the approval or authority of the Administrator, and the Administrator's determination shall be final and conclusive upon the accounting officers of the Government.

(i) Of the funds appropriated pursuant to subsections (a), (b), and (d), not in excess of \$100,000 for each project, including collateral equipment, may be used for construction of new facilities and additions to existing facilities, and for repair, rehabilitation, or modification of facilities: *Provided*, That, of the funds appropriated pursuant to subsection (a) or (b), not in excess of \$500,000 for each project, including collateral equipment, may be used for any of the foregoing

for unforeseen programmatic needs: *And provided further*, That, of the funds appropriated pursuant to subsection (d), not in excess of \$500,000 per project, including collateral equipment, may be used for repair, rehabilitation, or modification of facilities controlled by the General Services Administration.

Sec. 102. Authorization is granted whereby any of the amounts prescribed in paragraphs (1) through (13) of section 101(c) of this title—

(1) in the discretion of the Administrator or the Administrator's designee, may be varied upward 10 percent, or

(2) following a report by the Administrator or the Administrator's designee to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives on the circumstances of such action, may be varied upward 25 percent,

to meet unusual cost variations, but the total cost of all work authorized under such paragraphs shall not exceed the total of the amounts specified in such paragraphs.

Sec. 103. Not to exceed one-half of 1 percent of the funds appropriated pursuant to section 101 (a) or (b) of this title may be transferred to and merged with the "Construction of facilities" appropriation, and when so transferred, together with \$10,000,000 of funds appropriated pursuant to section 101(c) of this title (other than funds appropriated pursuant to paragraph (14) of such section) shall be available for expenditure to construct, expand, and modify laboratories and other installations at any location (including locations specified in section 101(c)), if (1) the Administrator determines that such action is necessary because of changes in the national program of aeronautical and space activities or new scientific or engineering developments, and (2) the Administrator determines that deferral of such action until the enactment of the next authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities. The funds so made available may be expended to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment. No portion of such sums may be obligated for expenditure or expended to construct, expand, or modify laboratories and other installations unless a period of 30 days has passed after the Administrator or the Administrator's designee has transmitted to the President of the Senate and to the Speaker of the House of Representatives and to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a written report containing a full and complete statement concerning (A) the nature of such construction, expansion, or modification, (B) the cost thereof including the cost of any real estate action pertaining thereto, and (C) the reason why such construction, expansion, or modification is necessary in the national interest.

Sec. 104. Notwithstanding any other provision of this title, no amount appropriated pursuant to this title may be used for any program—

(1) deleted by the Congress from requests as originally made either to the Committee on Commerce, Science, and Transportation of the Senate or the Committee on Science,

Space, and Technology of the House of Representatives;

(2) in excess of the amount actually authorized for that particular program by section 102(a), (b), and (d); and

(3) which has not been presented to either such Committee,

unless a period of 30 days has passed after the receipt by President of the Senate and the Speaker of the House of Representatives and each such committee of notice given by the Administrator or the Administrator's designee containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action.

SEC. 105. No civil space station authorized under section 101(a)(1) of this title may be used to carry or place in orbit any nuclear weapon or any other weapon of mass destruction, to install any such weapon on any celestial body, or to station any such weapon in space in any other manner. This civil space station may be used only for peaceful purposes.

SEC. 106. (a) The Administrator is directed to undertake the construction of a permanently manned space station (hereinafter referred to as the "space station") to become operational in 1995. The space station will be used for the following purposes—

(1) the conduct of scientific experiments, applications experiments, and engineering experiments;

(2) the servicing, rehabilitation, and construction of satellites and space vehicles;

(3) the development and demonstration of commercial products and processes; and

(4) the establishment of a space base for other civilian and commercial space activities.

(b) The space station shall be developed and operated in a manner that supports other science and space activities.

(c) In order to reduce the cost of operations of the space station and its ground support system, the Administrator shall undertake the development of such advanced technologies as may be appropriate within the level of funding authorized in this Act.

(d) The Administrator shall seek to have portions of the space station constructed and operated by the private sector, where appropriate.

(e) The Administrator shall promote international cooperation in the space station program by undertaking the development, construction, and operation of the space station in conjunction with (but not limited to) the Governments of Europe, Japan, and Canada.

(f) The space station shall be designed, developed, and operated in a manner that enables evolutionary enhancement.

SEC. 107. (a) For each of the fiscal years 1989 through 1996, the Administrator, along with the President's submission to the Congress of the annual budget request for the National Aeronautics and Space Administration, shall submit a capital development plan for the space station program. Each such plan shall include the estimated cost of all direct research and development; space flight, control and data communications; construction of facilities; and research and program management for the fiscal year involved and the two succeeding fiscal years.

(b) For fiscal year 1989, the capital development plan shall also include a statement outlining the total cost, schedule, and configuration of the Administration's space station proposal, as well as an analysis of the

"Report of the Committee on the Space Station of the National Research Council". Such analysis shall examine alternatives for the configuration of the space station including but not limited to low cost alternatives.

SEC. 108. In order to ensure that the development of the space station is part of a balanced civilian space program, the Administrator is instructed to establish as a goal a funding profile that limits (1) space station total annual costs under the capital development plan in section 107 to 25 percent of the total budget request for the National Aeronautics and Space Administration and (2) all space station direct operations costs, except for those costs associated with the utilization of the space station, to 10 percent of the total budget request for the National Aeronautics and Space Administration.

SEC. 109. (a) It is the sense of the Congress that the launching and servicing of the space station should be accomplished by the most cost-effective use of space transportation systems, including the space shuttle and expendable launch vehicles.

(b) Not later than January 15, 1988, the Administrator shall submit a preliminary report on the cost-effective use of space transportation systems for the launch of space station elements during the development and operation of the space station. The Administrator shall consider—

(1) the potential use of future advanced or heavy lift expendable launch vehicles for purposes of the assembly and operation of the space station;

(2) the use of existing expendable launch vehicles of the National Aeronautics and Space Administration, the Department of Defense, and the Private Sector;

(3) the requirement for space shuttle launches; and

(4) the risk of capital losses from the use of expendable launch vehicles and the space shuttle.

SEC. 110. (a) The Administrator shall set and collect reasonable user fees for the use and maintenance of the space station.

(b) The Administrator shall set user fees so as to—

(1) promote the use of the space station consistent with the policy set forth in section 106;

(2) recover the costs of the use of the space station, including reasonable charges for any enhancement needed for such use; and

(3) conserve and efficiently allocate the resources of the space station.

(c) The Administrator may, on a case-by-case basis, waive or modify such user fees when in the Administrator's judgment such waiver or modification will further the goals and purposes of the National Aeronautics and Space Act of 1958, including—

(1) the advancement of scientific or engineering knowledge;

(2) international cooperation; and

(3) the commercial use of space.

SEC. 111. No later than September 30, 1988, the Administrator shall submit a detailed plan for collecting reimbursements for the utilization of the space station under section 110, including the services to be offered, the methodology and bases by which prices will be charged, and the estimated revenues.

SEC. 112. The Intergovernmental Agreement currently being negotiated between the United States Government and Canada, Japan, and member governments of the European Space Agency, and the Memorandum

of Understanding currently being negotiated between the National Aeronautics and Space Administration and its counterpart agencies in Canada, Japan, and Europe concerning the detailed design, development, construction, operation, or utilization of the space station shall be submitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives. No such agreement shall take effect until 30 days have passed after the receipt by such committees of the agreement.

SEC. 113. (a) It is the sense of the Congress that it is in the national interest that consideration be given to geographical distribution of Federal research funds whenever feasible, and that the National Aeronautics and Space Administration should explore ways and means of distributing its research and development funds whenever feasible.

(b) The Administrator shall report to the Congress on the extent to which such consideration has been given and such ways and means explored during fiscal year 1987, and shall submit such report to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate by January 15, 1988.

SEC. 114. (a) The Administrator shall award to a domestic firm a contract that, under the use of competitive procedures, would be awarded to a foreign firm, if—

(1) the final product of the domestic firm will be completely assembled in the United States;

(2) when completely assembled, not less than 50 percent of the final product of the domestic firm will be domestically produced; and

(3) the difference between the bids submitted by the foreign and domestic firms is not more than 6 percent.

(b) This section shall not apply to the extent to which—

(1) such applicability would not be in the public interest;

(2) compelling national security considerations require otherwise; or

(3) the United States Trade Representative determines that such an award would be in violation of the General Agreement on Tariffs and Trade or an international agreement to which the United States is a party.

(c) For purposes of this section—

(1) the term "domestic firm" means a business entity that is incorporated in the United States and that conducts business operations in the United States; and

(2) the term "foreign firm" means a business entity not described in paragraph (1).

(d) This section shall apply only to contracts for which—

(1) amounts are made available pursuant to this Act; and

(2) solicitations for bids are issued after the date of the enactment of this Act.

SEC. 115. Title II of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.) is amended by adding at the end the following:

"DONATIONS FOR SPACE SHUTTLE ORBITER"

"SEC. 208. (a) The Administrator may accept gifts and donations of services, money, and real, personal, tangible, and intangible property, and use such gifts and donations for the construction of a space shuttle orbiter.

"(b) (1) The authority of the Administrator to accept gifts or donations pursuant to subsection (a) of this section shall terminate

five years after the date of the enactment of this section.

"(2) All gifts and donations accepted by the Administrator pursuant to subsection (a) of this section which are not needed for construction of a space shuttle orbiter shall be used by the Administrator for an appropriate purpose—

"(A) in tribute to the dedicated crew of the space shuttle Challenger; and

"(B) in furtherance of the exploration of space.

"(c) The name of a space shuttle orbiter constructed in whole or in part with gifts or donations whose acceptance and use are authorized by subsection (a) of this section shall be selected by the Administrator from among suggestions submitted by students in elementary and secondary schools."

SEC. 116. (a) It is the sense of the Congress that the space shuttle is a critical national resource that should be preserved; that it should be used primarily for those missions which require its unique capabilities; and that a diversified family of expendable launch vehicles should be incorporated by use into the Nation's civilian space flight program.

(b) The Administrator shall establish a program for launching payloads by means of expendable launch vehicles and, if available, by commercial launch services.

(c) The Administrator shall take such action as may be necessary to ensure that expendable launch vehicles or, if available, commercial launch services are obtained for the launch of the following payloads:

(1) Roentgen Satellite (ROSAT), for launch in 1990;

(2) Tracking and Data Relay Satellite (TDRS)-F, or a planetary mission;

(3) Extreme Ultraviolet Explorer (EUVE), for launch in 1991; and

(4) Mars Observer, for launch in 1992.

(d) The Administrator shall report to the Congress not later than January 15, 1988, on the Administrator's compliance with this section, and shall submit such report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

SEC. 117. Title III of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.) is amended by adding at the end the following:

"CONTRACTS REGARDING EXPENDABLE LAUNCH VEHICLES

"SEC. 311. (a) The Administrator may enter into contracts for expendable launch vehicle services that are for periods in excess of the period for which funds are otherwise available for obligation, provide for the payment for contingent liability which may accrue in excess of available appropriations in the event the Government for its convenience terminates such contracts, and provide for advance payments reasonably related to launch vehicle and related equipment, fabrication, and acquisition costs, if any such contract limits the amount of the payments that the Federal Government is allowed to make under such contract to amounts provided in advance in appropriation acts. Such contracts may be limited to sources within the United States when the Administrator determines that such limitation is in the public interest.

"(b) If funds are not available to continue any such contract, the contract shall be terminated for the convenience of the Government, and the costs of such contract shall be paid from appropriations originally available for performance of the contract, from

other, unobligated appropriations currently available for the procurement of launch services, or from funds appropriated for such payments."

SEC. 118. (a) It is the sense of the Congress that the capital investment in space satellites and vehicles should be enhanced and protected by establishing a system of servicing, rehabilitation, and repair capabilities in orbit (hereinafter referred to as "satellite servicing").

(b) The Administrator shall conduct a thorough and comprehensive study of satellite servicing with a view toward establishing national goals and objectives for utilizing such capabilities.

(c) In conducting the study of satellite servicing under this section, the Administrator shall give consideration to—

(1) the use of the space shuttle, the space station, and other space vehicles to carry out or support satellite servicing;

(2) all potential users of satellite servicing capabilities, including civilian, defense, private, and foreign satellites and space vehicles;

(3) experience to date with in-orbit satellite servicing including the costs of such operations and the fees charged users that are not from the National Aeronautics and Space Administration;

(4) the pertinence of satellite servicing to insurance, including the character, cost, and availability of insurance;

(5) the pertinence of satellite servicing to satellite and vehicle design;

(6) the pertinence of satellite servicing to the National Aeronautics and Space Administration and other space programs, including science and applications programs; and

(7) the prices to be charged for satellite servicing such that the full costs of such servicing can be recovered.

(d) The Administrator shall complete the study and present a full report on it to the Congress on or before January 15, 1988.

SEC. 119. The Administrator shall review the findings, recommendations, and proposed space agenda of the National Commission on Space as set forth in its report submitted under section 204(c) of the National Aeronautics and Space Administration Authorization Act, 1985 (Public Law 98-361; 98 Stat. 422), and shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, within 60 days after the date of enactment of this Act, a recommendation for a long-range implementation plan, including an impact assessment of such implementation on personnel, budget, and other resources.

SEC. 120. Section 24 of the Commercial Space Launch Act (49 U.S.C. App. 2623) is amended by adding at the end thereof the following: "There is authorized to be appropriated to the Secretary to carry out this Act \$4,548,000 for fiscal year 1988."

SEC. 121. (a) It is the sense of the Congress that the solid rocket motor project of the space shuttle program would benefit from competition, and that an advanced solid rocket motor would enhance the margin of safety, reliability, and performance of the space shuttle.

(b) By the date on which the President submits to the Congress the fiscal year 1990 budget request for the National Aeronautics and Space Administration, the Administrator shall issue a request for proposals to acquire by means of a competitive procurement an advanced solid rocket motor. The Administrator shall also consider ways and

means to improve quality control, reduce operational hazards, reduce costs, increase competition, and enhance manufacturing processes, including, but not limited to, constructing a government-owned and contractor-operated solid rocket motor production facility and providing for a dual source of supply of the advanced solid rocket motor.

(c) Until a request for proposals has been issued under subsection (b) of this section, no contract for the purchase of additional solid rocket motors shall be extended or signed by the Administrator. The Administrator may proceed with the procurement of long-lead materials for the solid rocket motors from the current contractor only after the Administrator has certified to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives that such action is necessary to prevent a delay in the space shuttle launch schedule.

(d) The Administrator shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives if the competitive procurement specified in subsection (b) cannot be conducted. The Administrator shall transmit such notice along with a complete explanation of the reasons supporting such determination. Following such determination, but no sooner than 30 days following the transmission of the notice required under this subsection, the Administrator shall—

(1) conduct a competition to select a qualified second source of supply (in addition to the current contractor) for flight sets of the redesigned solid rocket motor that is currently under development; or

(2) recompute the current source of supply for flight sets of the redesigned solid rocket motor.

(e) No later than March 31, 1988, the Administrator shall present to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a comprehensive acquisition plan for the advanced solid rocket motor in accordance with this section.

TITLE II—NATIONAL SPACE GRANT COLLEGE AND FELLOWSHIP PROGRAM

SEC. 201. This title may be cited as the "National Space Grant College and Fellowship Act".

SEC. 202. The Congress finds that—

(1) the vitality of the Nation and the quality of life of the citizens of the Nation depend increasingly on the understanding, assessment, development, and utilization of space resources;

(2) research and development of space science, space technology, and space commercialization will contribute to the quality of life, national security, and the enhancement of commerce;

(3) the understanding and development of the space frontiers require a broad commitment and an intense involvement on the part of the Federal Government in partnership with State and local governments, private industry, universities, organizations, and individuals concerned with the exploration and utilization of space;

(4) the National Aeronautics and Space Administration, through the national space grant college and fellowship program, offers the most suitable means for such commitment and involvement through the promo-

tion of activities that will result in greater understanding, assessment, development, and utilization; and

(5) Federal support of the establishment, development, and operation of programs and projects by space grant colleges, space grant regional consortia, institutions of higher education, institutes, laboratories, and other appropriate public and private entities is the most cost-effective way to promote such activities.

Sec. 203. The purposes of this title are to—

(1) increase the understanding, assessment, development, and utilization of space resources by promoting a strong educational base, responsive research and training activities, and broad and prompt dissemination of knowledge and techniques;

(2) utilize the abilities and talents of the universities of the Nation to support and contribute to the exploration and development of the resources and opportunities afforded by the space environment;

(3) encourage and support the existence of interdisciplinary and multidisciplinary programs of space research within the university community of the Nation, to engage in integrated activities of training, research and public service, to have cooperative programs with industry, and to be coordinated with the overall program of the National Aeronautics and Space Administration;

(4) encourage and support the existence of consortia, made up of university and industry members, to advance the exploration and development of space resources in cases in which national objectives can be better fulfilled than through the programs of single universities;

(5) encourage and support Federal funding for graduate fellowships in fields related to space; and

(6) support activities in colleges and universities generally for the purpose of creating and operating a network of institutional programs that will enhance achievements resulting from efforts under this title.

Sec. 204. As used in this title, the term—

(1) "Administration" means the National Aeronautics and Space Administration;

(2) "Administrator" means the Administrator of the National Aeronautics and Space Administration;

(3) "aeronautical and space activities" has the meaning given to such term in section 103(1) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2452(1));

(4) "field related to space" means any academic discipline or field of study (including the physical, natural, and biological sciences, and engineering, space technology, education, economics, sociology, communications, planning, law, international affairs, and public administration) which is concerned with or likely to improve the understanding, assessment, development, and utilization of space;

(5) "panel" means the space grant review panel established pursuant to section 210 of this title;

(6) "person" means any individual, any public or private corporation, partnership, or other association or entity (including any space grant college, space grant regional consortium, institution of higher education, institute, or laboratory), or any State, political subdivision of a State, or agency or officer of a State or political subdivision of a State;

(7) "space environment" means the environment beyond the sensible atmosphere of the Earth;

(8) "space grant college" means any public or private institution of higher education

which is designated as such by the Administrator pursuant to section 208 of this title;

(9) "space grant program" means any program which—

(A) is administered by any space grant college, space grant regional consortium, institution of higher education, institute, laboratory, or State or local agency; and

(B) includes two or more projects involving education and one or more of the following activities in the fields related to space—

(i) research,

(ii) training, or

(iii) advisory services,

(10) "space grant regional consortium" means any association or other alliance which is designated as such by the Administrator pursuant to section 208 of this title;

(11) "space resource" means any tangible or intangible benefit which can only be realized from—

(A) aeronautical and space activities; or

(B) advancements in any field related to space; and

(12) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any other territory or possession of the United States.

Sec. 205. (a) The Administrator shall establish and maintain, within the Administration, a program to be known as the national space grant college and fellowship program. The national space grant college and fellowship program shall consist of the financial assistance and other activities provided for in this title. The Administrator shall establish long-range planning guidelines and priorities, and adequately evaluate the program.

(b) Within the Administration, the program shall—

(1) apply the long-range planning guidelines and the priorities established by the Administrator under subsection (a) of this section;

(2) advise the Administrator with respect to the expertise and capabilities which are available through the national space grant college and fellowship program, and make such expertise available to the Administration as directed by the Administrator;

(3) evaluate activities conducted under grants and contracts awarded pursuant to sections 206 and 207 of this title to assure that the purposes set forth in section 203 of this title are implemented;

(4) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the national space grant college and fellowship program, on a cooperative or other basis;

(5) encourage cooperation and coordination with other Federal programs concerned with the development of space resources and fields related to space;

(6) advise the Administrator on the designation of recipients supported by the national grant college and fellowship program and, in appropriate cases, on the termination or suspension of any such designation; and

(7) encourage the formation and growth of space grant and fellowship programs.

(c) To carry out the provisions of this title, the Administrator may—

(1) accept conditional or unconditional gifts or donations of services, money, or property, real, personal or mixed, tangible or intangible;

(2) accept and use funds from other Federal departments, agencies, and instrumen-

talities to pay for fellowships, grants, contracts, and other transactions; and

(3) issue such rules and regulations as may be necessary and appropriate.

Sec. 206. (a) The Administrator may make grants and enter into contracts or other transactions under this subsection to assist any space grant and fellowship program or project if the Administrator finds that such program or project will carry out the purposes set forth in section 203 of this title. The title amount paid pursuant to any such grant or contract may equal 66 percent, or any lesser percent, of the total cost of the space grant and fellowship program or project involved, except that this limitation shall not apply in the case of grants or contracts paid for with funds accepted by the Administrator pursuant to section 205(c)(2) of this title.

(b) The Administrator may make special grants under this subsection to carry out the purposes set forth in section 203 of this title. The amount of any such grant may equal 100 percent, or any lesser percent, of the total cost of the project involved. No grant may be made under this subsection, unless the Administrator finds that—

(1) no reasonable means is available through which the applicant can meet the matching requirement for a grant under subsection (a) of this section;

(2) the probable benefit of such project outweighs the public interest in such matching requirement; and

(3) the same or equivalent benefit cannot be obtained through the award of a contract or grant under subsection (a) of this section or section 207 of this title.

(c) Any person may apply to the Administrator for a grant or contract under this section. Application shall be made in such form and manner, and with such content and other submissions, as the Administrator shall by regulation prescribe.

(d)(1) Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in paragraphs (2) and (3) of this subsection and to such other terms, conditions and requirements as the Administrator considers necessary or appropriate.

(2) No payment under any grant or contract under this section may be applied to—

(A) the purchase of any land;

(B) the purchase, construction, preservation, or repair of any building; or

(C) the purchase or construction of any launch facility or launch vehicle.

(3) Notwithstanding paragraph (2) of this subsection, the items in subparagraphs (A), (B), and (C) of such paragraph may be leased upon written approval of the Administrator.

(4) Any person who receives or utilizes any proceeds of any grant or contract under this section shall keep such records as the Administrator shall by regulation prescribe as being necessary and appropriate to facilitate effective audit and evaluation, including records which fully disclose the amount and disposition by such recipient of such proceeds, the total cost of the program or project in connection with which such proceeds were used, and the amount, if any, of such cost which was provided through other sources. Such records shall be maintained for three years after the completion of such a program or project. The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and evaluation, to any books, documents, papers and records of receipts

which, in the opinion of the Administrator or the Comptroller General, may be related or pertinent to such grants and contracts.

Sec. 207. (a) The Administrator shall identify specific national needs and problems relating to space. The Administrator may make grants or enter into contracts under this section with respect to such needs or problems. The amount of any such grant or contract may equal 100 percent, or any lesser percent, of the total cost of the project involved.

(b) Any person may apply to the Administrator for a grant or contract under this section. In addition, the Administrator may invite applications with respect to specific national needs or problems identified under subsection (a) of this section. Application shall be made in such form and manner, and with such content and other submissions, as the Administrator shall by regulation prescribe. Any grant made, or contract entered into, under this section shall be subject to the limitations and provisions set forth in section 206(d)(2) and (4) of this title and to such other terms, conditions, and requirements as the Administrator considers necessary or appropriate.

Sec. 208. (a)(1) The Administrator may designate—

(A) any institution of higher education as a space grant college; and

(B) any association or other alliance of two or more persons, other than individuals, as a space grant regional consortium.

(2) No institution of higher education may be designated as a space grant college, unless the Administrator finds that such institution—

(A) is maintaining a balanced program of research, education, training, and advisory services in fields related to space;

(B) will act in accordance with such guidelines as are prescribed under subsection (b)(2) of this section; and

(C) meets such other qualifications as the Administrator considers necessary or appropriate.

(3) No association or other alliance of two or more persons may be designated as a space grant regional consortium, unless the Administrator finds that such association or alliance—

(A) is established for the purpose of sharing expertise, research, educational facilities or training facilities, and other capabilities in order to facilitate research, education, training, and advisory services, in any field related to space;

(B) will encourage and follow a regional approach to solving problems or meeting needs relating to space, in cooperation with appropriate space grant colleges, space grant programs, and other persons in the region;

(C) will act in accordance with such guidelines as are prescribed under subsection (b)(2) of this section; and

(D) meets such other qualifications as the Administrator considers necessary or appropriate. (b) The Administrator shall by regulation prescribe—

(1) the qualifications required to be met under subsection (a)(2)(C) and (3)(D) of this section; and

(2) guidelines relating to the activities and responsibilities of space grant colleges and space grant regional consortia.

(c) The Administrator may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a) of this section.

Sec. 209. (a) The Administrator shall support a space grant fellowship program to

provide educational and training assistance to qualified individuals at the graduate level of education in fields related to space. Such fellowships shall be awarded pursuant to guidelines established by the Administrator. Space grant fellowships shall be awarded to individuals at space grant colleges, space grant regional consortia, other colleges and institutions of higher education, professional associations, and institutes in such a manner as to assure wide geographic and institutional diversity in the pursuit of research under the fellowship program.

(b) The total amount which may be provided for grants under the space grant fellowship program during any fiscal year shall not exceed an amount equal to 50 percent of the total funds appropriated for such year pursuant to this title.

(c) Nothing in this section shall be construed to prohibit the Administrator from sponsoring any research fellowship program, including any special emphasis program, which is established under an authority other than this title.

Sec. 210. (a) The Administrator shall establish an independent committee known as the space grant review panel, which shall not be subject to the provisions of the Federal Advisory Committee Act (5 U.S.C. App. 1 et seq.; Public Law 92-463).

(b) The panel shall take such steps as may be necessary to review, and shall advise the Administrator with respect to—

(1) applications or proposals for, and performance under, grants and contracts awarded pursuant to sections 206 and 207 of this title;

(2) the space grant fellowship program;

(3) the designation and operation of space grant colleges and space grant regional consortia, and the operation of space grant and fellowship programs;

(4) the formulation and application of the planning guidelines and priorities pursuant to section 205(a) and (b)(1) of this title; and

(5) such other matters as the Administrator refers to the panel for review and advice.

(c) The Administrator shall make available to the panel any information, personnel and administrative services and assistance which is reasonable to carry out the duties of the panel.

(d)(1) The Administrator shall appoint the voting members of the panel. A majority of the voting members shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the disciplines and fields related to space. The other voting members shall be individuals who, by reason of knowledge, experience or training, are especially qualified in, or representative of, education, extension services, State government, industry, economics, planning, or any other activity related to efforts to enhance the understanding, assessment, development, or utilization of space resources. The Administrator shall consider the potential conflict of interest of any individual in making appointments to the panel.

(2) The Administrator shall select one voting member to serve as the Chairman and another voting member to serve as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman.

(3) Voting members of the panel who are not Federal employees shall be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

(4) The panel shall meet on a biannual basis and, at any other time, at the call of the Chairman or upon the request of a ma-

jority of the voting members or of the Administrator.

(5) The panel may exercise such powers as are reasonably necessary in order to carry out the duties enumerated in subsection (b) of this section.

Sec. 211. Each department, agency or other instrumentality of the Federal Government which is engaged in or concerned with, or which has authority over, matters relating to space—

(1) may, upon a written request from the Administrator, make available, on a reimbursable basis or otherwise, any personnel (with their consent and without prejudice to their position and rating), service, or facility which the Administrator considers necessary to carry out any provision of this title;

(2) may, upon a written request from the Administrator, furnish any available data or other information which the Administrator considers necessary to carry out any provision of this title; and

(3) may cooperate with the Administration.

Sec. 212. (a) The Administrator shall submit to the Congress and the President, not later than January 1, 1989, and not later than February 15 of every odd-numbered year thereafter, a report on the activities of the national space grant and fellowship program.

(b) The Director of the office of Management and Budget and the Director of the Office of Science and Technology Policy in the Executive Office of the President shall have the opportunity to review each report prepared pursuant to subsection (a) of this section. Such Directors may submit, for inclusion in such report, comments and recommendations and an independent evaluation of the national space grant college and fellowship program. Such comments and recommendations shall be submitted to the Administrator not later than 90 days before such a report is submitted pursuant to subsection (a) of this section and the Administrator shall include such comments and recommendations as a separate section in such report.

Sec. 213. The Administrator shall not under this title designate any space grant college or space grant regional consortium or award any fellowship, grant, or contract unless such designation or award is made in accordance with the competitive, merit-based review process employed by the Administration on the date of enactment of this Act.

Sec. 214. (a) There are authorized to be appropriated for the purposes of carrying out the provisions of this title sums not to exceed—

(1) \$10,000,000 for each of fiscal years 1988 and 1989; and

(2) \$15,000,000 for each of fiscal years 1990 and 1991.

(b) Such sums as may be appropriated under this section shall remain available until expended.

TITLE III—AMENDMENTS TO THE LAND REMOTE-SENSING COMMERCIALIZATION ACT OF 1984

Sec. 301. This title may be cited as the "Land Remote-Sensing Commercialization Act Amendments of 1987".

Sec. 302. The Congress finds and declares that—

(1) the implementation of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4201 et seq.) has begun and some of the major milestones contained in that Act have been met;

(2) Congress remains strongly committed to the guiding principles set forth in that Act;

(3) notwithstanding the accomplishments thus far, the relationships among the involved Federal agencies and the private sector have not yet been adequately defined; and

(4) inasmuch as the technical development and commercial applications of future land remote-sensing systems cannot now be predicted with certainty, it is in the national interest of the United States that the involved Federal agencies and the private sector remain flexible in carrying out their respective responsibilities under that Act.

SEC. 303. It is therefore the purpose of this title to set forth amendments to the Land Remote-Sensing Commercialization Act of 1984 to ensure that—

(1) the original intent of that Act is carried out in the most effective manner consistent with the principles expressed therein;

(2) specific mechanisms for carrying out the original intent of that Act are provided in those cases where none have materialized thus far; and

(3) the working relationships among involved Federal agencies and private sector parties for the purpose of carrying out that Act are fully developed and mutually understood.

SEC. 304. Section 202(a)(4) of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4212(a)(4)) is amended by inserting before the semicolon at the end thereof the following: “, except in the case of research and development activities conducted in accordance with section 504”.

SEC. 305. Title III of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4221 et seq.) is amended by adding at the end thereof the following new section:

“DISPOSITION OF GOVERNMENT ASSETS

“SEC. 308. Following the completion of a contract made pursuant to this title, the Secretary may, upon 30 days advance notice to the Committee on Commerce, Science and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives, dispose of assets (other than real property) under the control of the Secretary in a manner which best ensures the continuation of the contractor's commercial activity.”

SEC. 306. Section 502 of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4262) is amended to read as follows:

“RESEARCH AND DEVELOPMENT ACTIVITIES OF FEDERAL AGENCIES

“SEC. 502. Each Federal agency is authorized and encouraged to provide data gathered in experimental remotesensing space programs to related research and development programs funded by the Federal Government (including application programs) and to cooperative research programs if the Federal agency involved determines that the data will not be used—

“(1) for any commercial purpose, or

“(2) in substantial competition with data available from a licensee under this Act, except pursuant to section 503.”

SEC. 307. Title V of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4261 et seq.) is amended by adding at the end thereof the following new section:

“RESEARCH AND DEVELOPMENT ACTIVITIES OF SYSTEM OPERATORS

“SEC. 504. Notwithstanding section 601, any system operator under title II, III, or IV

of this Act, or any marketing entity under section 503 of this Act, may provide data for any research and development programs if—

“(1) a complete and timely disclosure of the results of such research and development is made in the open technical literature or is otherwise made publicly available;

“(2) the system operator or marketing entity provides to the Secretary an annual report of all research and development data transactions including the nature of any cooperative agreements and the prices charged for data; and

“(3) the data are not used for commercial purposes or in substantial competition with data available from a licensee under this Act.”

SEC. 308. Section 603 of the Land Remote-Sensing Commercialization Act of 1984 (15 U.S.C. 4273) is amended to read as follows:

“NONREPRODUCTION

“SEC. 603. In addition to such other terms and conditions as the system operator may set forth in compliance with section 601 of this Act, the system operator may require that unenhanced data not be reproduced or disseminated by any foreign or domestic purchaser.”

Mr. ROE (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment and the House amendment to the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

Mr. LUJAN. Mr. Speaker, reserving the right to object, I do so in order to yield to the gentleman from New Jersey for an explanation.

Mr. ROE. Mr. Speaker, I thank the gentleman from New Mexico for yielding.

Mr. Speaker, the amendment which I am offering today to the Senate passed House bill has been cleared with our counterpart committee in the other body.

Like H.R. 2782, which was overwhelmingly passed by the House on July 9, this version of the bill contains full funding to initiate development of the space station, and to continue the space shuttle accident recovery effort. It also retains many of the principal features of the House-passed bill.

Our agreement with the Senate will maintain a vigorous space science program—including such projects as the advanced communications technology satellite, and the Mars observer—an active aeronautics program; and an enhanced basic research program.

Finally, the amendment I am offering will authorize the purchase of expendable launch vehicles that will be needed to support future space science initiatives. This was an important new initiative moving toward a mixed fleet recommended by the Committee on Science, Space, and Technology following the *Challenger* accident.

In aggregate, this bill authorizes \$9,573,800,000 for the National Aeronautics and Space Administration for fiscal year 1988. This funding level, I believe, strikes a reasonable balance

between the funding priorities that were contained in the original House and Senate passed bills.

I am including with my remarks a chart which outlines all of the specific funding changes that have been made in the bill.

I would now like to mention some of the key language differences that are contained in this bill as compared to the original House-passed version of H.R. 2782. They can be summarized as follows:

We have accepted the Senate's language with regard to NASA's reprogramming authority. Significant revisions to this authority have been deferred so that the House and Senate committees can work with NASA to update and revise the language that it will propose using in the future;

We have accepted the Senate's use of language from the Outer Space Treaty concerning the civilian nature of the space station; the station will be reserved for peaceful uses, and forbidden to be used to place nuclear weapons or other weapons of mass destruction into orbit;

We have deleted the requirement for a joint NASA/DOD 5-year funding plan;

We have revised the “Buy America” provisions of the bill to ensure consistency with established laws;

We have accepted the Senate's use of language from last year's House- and Senate-passed bill that would permit NASA to accept donations for the construction of a space shuttle orbiter;

We have strengthened the language that directs the NASA Administrator to develop an advanced solid rocket motor;

We have deleted the language that detailed NASA procedures for selecting new astronauts;

We have accepted the Senate's technical language to facilitate NASA's purchase of launch services for Government payloads;

We have accepted some minor Senate revisions to clarify our long-term guidance concerning the funding and operation of the space station;

We have accepted the Senate's language calling for NASA to institute a system of “space grant colleges;”

We have accepted amendments to the Land Remote Sensing Commercialization Act that were included in last year's House and Senate bill—and in fact, originated in the Committee on Science, Space, and Technology;

We have removed the requirement that the Department of Transportation report to us any agreements involving the commercial use of Government launch facilities. We are following these activities in the executive branch and are pleased with the progress made in this area.

In summary, Mr. Speaker, I believe that we have crafted an amendment that is balanced, fair, and workable. I also believe that the passage of this

bill will be an important step in helping NASA to get the civil space program back in order. Therefore, Mr. Speaker, I strongly recommend that

all of my colleagues on both sides of the aisle support this amendment.

NASA FY 1988 SPREAD SHEET

(In millions of dollars)

Program	FY 1987 current estimate	FY 1988 request	H.R. 2782 passed	Senate amendment to H.R. 2782	Budget amendment	Compromise	Notes
Total: NASA budget	10,534.0	9,481.0	9,522.0	9,621.0	9,509.0	9,573.8	
Research and Development:							
Space Station	420.0	767.0	767.0	767.0		767.0	
Space Trans. Cap. Development	495.5	568.6	538.6	592.6		553.6	1
Space Science and Applications	1,552.6	1,508.3	1,598.3	1,625.1		1,628.1	
Physics & Astronomy	552.3	567.1	577.1	591.8		581.8	2
Life Sciences	72.2	74.6	74.6	74.6		74.6	
Planetary Exploration	358.4	307.3	342.3	307.3		320.3	3
Space Applications	569.7	559.3	604.3	651.4		651.4	4
Commercial Programs	41.3	54.0	49.0	49.0		49.0	
Technology Utilization	15.7	18.3	18.3	18.3		18.3	
Commercial Use of Space	25.6	35.7	30.7	30.7		30.7	
Aeronautics & Space Tech.	592.0	691.0	715.0	653.0		687.0	
Aeron. Res. & Tech.	376.0	375.0	399.0	375.0		387.0	5
Transatmospheric Res. & Tech.	45.0	66.0	66.0	66.0		66.0	
Space Research & Technology	171.0	250.0	250.0	212.0		234.0	6
Safety Reliability & Quality Assurance	9.2	16.2	16.2	16.2		16.2	
Tracking & Data Advanced Systems	17.1	18.1	13.1	18.1		18.1	
Total Research & Development	3,127.7	3,623.2	3,697.2	3,721.0		3,719.0	
Space Flight, Control, & Data Com.							
Space Shuttle Prod. & Cap. Dev.	1,005.1	1,229.6	1,174.6	1,150.6		1,174.6	
Orbiter & Oper. Capability	373.0	403.2	348.2	324.2		348.2	
Launch & Mission Support	148.2	249.3	249.3	249.3		249.3	
Propulsion Systems	463.9	552.1	552.1	552.1		552.1	
Changes & Systems Upgrading	20.0	25.0	25.0	25.0		25.0	
Replacement Orbiter	2,100.0	0	0	0		0	
Space Transportation Operations	1,847.0	1,885.8	1,885.8	1,885.8		1,885.8	
Flight operations	557.7	561.1	561.1	561.1		561.1	
Flight hardware	936.0	923.1	923.1	923.1		923.1	
Launch and landing oper.	353.3	401.6	401.6	401.6		401.6	
Expendable Launch Vehicle Oper.	0	0	60.0	100.0	28.0	60.0	
Space & Ground Network, Com. & Data Systems	862.9	948.9	913.9	944.9		924.9	
Space Network	407.3	481.5	446.5	481.5		461.5	8
Ground Network	250.1	257.1	257.1	257.1		253.1	9
Com. & Data Systems	205.5	210.3	210.3	206.3		210.3	
Total Space Fl. Con. & Data Com.	5,815.0	4,064.3	4,034.3	4,081.3		4,045.3	
Construction of Facilities	166.3	195.5	185.5	210.7		216.5	10
Research & Program Management	1,425.0	1,598.0	1,605.0	1,608.0		1,593.0	11

Notes to accompany NASA FY 1988 spread sheet: The amendment makes the following changes relative to the funding levels contained in H.R. 2782 passed by the House on July 9, 1987.

- \$15,000,000 is restored to the development of the Orbital Maneuvering Vehicle (OMV) bringing the total amount for OMV to \$75,000,000.
- Funding for suborbital programs is increased by \$4,700,000 bringing the total to \$80,400,000 for this program.
- Funding for Mars Observer is reduced from a level of \$64,300,000 in FY 1988 to be augmented by \$22,000,000 in FY 1987 funds in accordance with Sec. 101(e).
- A total of \$47,100,000 is added to the Space Applications budget of which \$39,000,000 is for the Advanced Communications Technology Satellite, \$4,100,000 for the augmentation of microgravity research and \$4,000,000 for Solid Earth Observations.
- The Aeronautical Research and Technology funding is reduced by \$12,000,000 but remains a total of \$12,000,000 greater than the Administration's request. The additional \$12,000,000 is to be applied as follows: \$2,000,000 to augment the engine hot section work under the Advanced High Temperature Engine Materials Systems Technology program and \$10,000,000 to be applied to basic research in aerodynamics, propulsion, materials and structures, and controls and guidance.
- The Civil Space Technology Initiative funding was reduced by \$16,000,000 which will be offset by funding provided by the Department of Defense in support of the Advanced Launch System.
- \$5,000,000 is restored to the Tracking and Data Advanced Systems program.
- \$15,000,000 is restored to the TDRS replacement program within the Space Network line bringing the total TDRS replacement funding to \$56,000,000.
- The amendment reflects the Senate's reduction of \$4,000,000 in the Ground Network Tracking budget.
- Funding for Wind Tunnel Repair is increased by \$31,000,000 to provide \$41,000,000 for the repair and refurbishment of the Ames Wind Tunnel Facility.
- Research and Program Management is decreased by \$12,000,000 for a total authorization of \$1,593,000,000. This amount includes those funds authorized in Title II of the bill for the Space Grant College program and the authorization contained in the original House passed Bill for an additional 175 aeronautical research positions. The amendment also provides for a general reduction of \$15,000,000 due to savings realized from the implementation of the Federal Employees Retirement System.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I would like to make a few observations and comments on this legislation.

I commend the gentleman from New Jersey for his perseverance in getting this bill to the floor. This is an important piece of legislation which we all want to see enacted. However, I must be candid and express my disappointment that we found it necessary to drop a number of very important provisions in our bill in order to accommodate the other body. It is my personal view that in so doing we have compromised our oversight role in a number of critical areas.

Mr. Speaker, as you recall, we in Congress received considerable criticism after the *Challenger* tragedy because of our failure to provide ade-

quate oversight. We have all been guilty of accepting on faith whatever NASA told us—not only Congress, but the media and the public as well. It is true that the activities of the agency have come under more scrutiny this past year, but it is also true that the committee's concerns are often ignored.

The bill that the House passed by an overwhelming margin earlier this year was a responsible effort to address this problem. Unfortunately, in our desire to get an agreement with the Senate we have forfeited nearly all of the language that would have required NASA to be responsive to our concerns.

It is especially disappointing to me that the provision in the bill addressing the serious inequities in the astronaut selection process has been delet-

ed. Since the House passed their bill I have received substantial additional evidence that the problem is indeed a very serious one that deserves our attention.

At this time I ask the gentleman from New Jersey to join me in a colloquy.

Mr. ROE. I will be glad to engage in a colloquy with the gentleman.

Mr. LUJAN. Mr. Speaker, I recognize that we dropped section 111 which I authored, concerning the selection of astronauts, from the final version of this bill because it was more appropriate to address this issue as an administrative matter rather than including it in public law. However, to ensure that our legislative intent is clearly established, will the chairman of the committee agree with me that it

is the intent of the House and the Committee on Science, Space, and Technology that the reports required in section 111 of the House-passed bill will still be required?

Mr. ROE. If the gentleman will yield, Mr. Speaker, I agree with the gentleman from New Mexico, and it is certainly our intent to follow up on this matter.

Mr. LUJAN. Would the committee chairman further agree to hold hearings next year to review the current astronaut selection process and the results of the mission specialist selections that have been made to date?

Mr. ROE. I will be happy to hold hearings for this purpose.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Speaker, I thank the gentleman from New Mexico for yielding.

Mr. Speaker, I rise in strong support of the amendment being offered today to H.R. 2782, the National Aeronautics and Space Administration Act of 1988.

The House voted overwhelmingly to pass this authorization on July 9 of this year. This amendment is the result of long and detailed discussions with our counterpart committee in the other body, and represents a strong, and fully supportable space program for the fiscal year which began just 1 week ago.

We have reached an agreement on funding which balances the needs to return the space shuttle to flight in less than 8 months from today, the start of full scale development of the space station, and the need to maintain a strong and vigorous space science program.

As a major proponent of commercialization of space activities, I am glad to report to the House that this bill takes a major stride in that direction. We have agreed to provide NASA with the authorization to procure commercial launch services, if they are available, for four NASA launches on expendable launch vehicles. These include the Roentgen satellite, [Rosat], in 1990; a tracking and data relay satellite [TDRS-F], or a planetary mission; the extreme ultraviolet explorer [EUVE], in 1991; and the Mars observ-er in 1992.

I am also glad to report that section 311 provides the authorization for NASA to enter into multiyear contracts for expendable launch vehicle services. Mr. Speaker, these provisions will do much to move the United States back into the forefront of international space leadership.

Finally, Mr. Speaker, let me say that we are strongly supporting the development of the national aerospace plane, also known as the Orient Express, which is making tremendous progress.

Mr. Speaker, this compromise with the other body is a strong, well crafted piece of legislation that deserves the full support of the House. I urge its adoption.

Mr. Speaker, if the gentleman would yield further, I would like if I could to engage the gentleman from New Jersey [Mr. ROE], the chairman of the committee, in a colloquy with regard to a particular section of the bill.

Would the gentleman from New Jersey be willing to talk to me here for a moment about section 207?

Mr. ROE. Mr. Speaker, will the gentleman yield?

Mr. LUJAN. Mr. Speaker, I am happy to yield to the gentleman from New Jersey.

Mr. ROE. Mr. Speaker, I say to the gentleman, by all means.

Mr. WALKER. I thank the chairman, and note that the required plan outlining the cost and development of the space station, which was in the House-passed bill in section 207, no longer contains a requirement to include an analysis of the report of the Office of Technology Assessment entitled "Civilian Space Stations and the United States Future in Space" and an examination of alternatives including, but not limited to, low cost alternatives. I would ask the chairman if the absence of that requirement is intended to relieve NASA of the responsibility for doing that analysis?

Mr. ROE. I would assure the gentleman from Pennsylvania, the author of the language in question, that in attempting to simplify the statutory language the title of the study done by the Office of Technology Assessment study was dropped, but it was not the intention of this chairman that the requirement endorsed by both the committee, and the House, that NASA would be relieved of the requirement to provide the Committee on Science, Space, and Technology with a full and responsive analysis of the OTA study.

Mr. WALKER. I thank my chairman for that assurance, and I urge the House to support this bill.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Florida [Mr. NELSON].

Mr. NELSON of Florida. Mr. Speaker, I thank the gentleman from New Mexico for yielding.

Mr. Speaker, I take this opportunity to urge our colleagues to support this NASA authorization bill and to thank the gentleman from New Jersey [Mr. ROE], the chairman of the full committee, the gentleman from New Mexico [Mr. LUJAN], our ranking member, and especially the gentleman from Pennsylvania [Mr. WALKER], the gentleman that I had the privilege of working with as our ranking member on the Subcommittee on Space Science and Applications. This has been a long process of working out a lot of de-

tails. We started this in our hearings that started last February and over the course of that time coming to the floor with an extraordinarily large margin of support coming out of this body, and then working out these few details with the other body, the Senate, to produce this document today. The import of this document is that the Nation needs to be back in space. It is important that we pull together our program and that in the process of getting us flying again with the space shuttle that we become visionary as we look to the future of what this Nation needs and expects beyond the space station in the decade of the 1990's into the next century.

This document, this NASA authorization bill, provides that foundation from which to launch.

Mr. Speaker, there is so much more to be done. It is going to be the privilege of our subcommittee to launch into this with hearings in trying to help suggest ways as we chart the course of the future of this Nation's Space Program.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from Minnesota [Mr. FRENZEL].

Mr. FRENZEL. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I have no comments on the bill. I have great confidence in the members of this committee because I have trusted them in the past, and I have every reason to believe that my confidence has been well placed.

I do want to, however, serve notice on the Speaker and the majority that it has been my custom and the custom of our other Members of this body to request votes when we are authorizing vast expenditures of the taxpayers' money or appropriating expenditures. This bill authorizes just short of \$10 billion and it is the kind of thing that I would normally call for a vote on because I think it is important that we be recorded whenever large sums of taxpayers' money are involved.

Mr. Speaker, I am not going to do that in this case, but I would like people to be on record that when the leadership of this House sends the Members home with a general amnesty and a promise that there will be no votes, then there should not be important legislation of vital substantive interest to the country and to the Members of this House taken up in this way.

I am not going to ask for a vote this morning, Mr. Speaker, because of my confidence in the gentleman from New Jersey [Mr. ROE], the chairman of the committee, and the members of the committee, but I do want to be sure the House is on notice.

Mr. Speaker, I thank the gentleman for yielding.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I might tell the gentleman from Minnesota [Mr. FRENZEL], that this is just a little bit different because we had voted on this bill before, and the House is on record on this bill.

This is just what we have been able to work out in the compromise.

Mr. FRENZEL. Mr. Speaker, if the gentleman will continue to yield, I understand that.

□ 1030

The bill is a little more expensive than when it left the House. Some of the things that were in the House bill have been removed. Some things in the bill of the other body have been put into the bill.

I want to tell the gentleman, and all of the Members, that when we are voting on sums of money this large, I am normally going to ask for a vote; but because of the magnificent behavior on the part of the gentleman from New Mexico, and the members of the committee, I shall not do so this morning.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I too would like to congratulate the gentleman from New Jersey [Mr. ROE], the chairman, and the gentleman from New Mexico [Mr. LUJAN], the ranking member, for their leadership and diligent efforts in addressing a most difficult problem; and that is, Mr. Speaker, that after the loss of the space shuttle *Challenger*, questions arose over the safety and efficiency and costs of operation of the solid rocket motor program.

I appreciate the diligent work you and the ranking Republican member of the committee lent to the solid rocket motor section of this bill. It is important because it could result in a new generation of more reliable solid rocket motors for the shuttle and the provision may, for the first time, introduce competition into what has been a sole source NASA contract for 14 years.

As the gentleman knows, Mr. Speaker, I have been vitally concerned as to what may occur if the new motor, the advanced solid rocket motor, or ASRM, does not become a reality.

While the amendment clearly addresses the need for NASA to study the feasibility of a dual source of production for the ASRM, if there is no ASRM and the Administrator decides to recompet the current contract instead of selecting a second source of production, we'll be right back where we are now—with a monopoly.

I know members of the committee are concerned that a second source of supply, with the declining number of

projected shuttle flights, could cost the taxpayers more rather than improve the economies of shuttle flight. Since there is more than a year before any of the solid rocket motor decisions required by this bill have to be made, would the chairman and ranking Republican member agree to request that GAO thoroughly investigate whether on the basis of cost and safety a second source should be the favored alternative if the ASRM does not advance?

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New Jersey [Mr. ROE], the chairman of the committee.

Mr. ROE. Mr. Speaker, I thank the gentleman for yielding.

As the gentleman knows, the entire trust of the language is to advance the prospects for an advanced solid rocket motor. I believe that second sourcing of a redesigned motor could enhance safety and quality and reduce the costs of the solid rocket program. I will request a GAO study to determine the cost and safety benefits, if any, of contracting two sources of supply for the redesigned solid rocket motors if the favored alternative, the ASRM, does not advance. The GAO study will help serve as a basis for evaluating any further NASA decisions to procure redesigned motors not now under contract.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, both sides of the aisle recognize the potential benefits of contracting two sources of production for the shuttle's solid rocket motors. We recognize the quality enhancements and the cost savings that dual sourcing has brought to several military programs. Since the committee realizes that the scale of NASA's solid rocket motor program may further encourage second sourcing, I will join the chairman in requesting the GAO study.

Mr. TORRICELLI. Mr. Speaker, if the gentleman will continue to yield, if the ASRM plan is not implemented, and NASA must develop a procurement plan for the redesigned solid rocket motor [RSRM], is it your expectation that NASA must thoroughly and accurately justify its cost assumptions to Congress?

Mr. ROE. Mr. Speaker, will the gentleman yield?

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New Jersey [Mr. ROE].

Mr. ROE. Mr. Speaker, I thank the gentleman for yielding.

If NASA finds that it must purchase redesigned motors beyond those now under contract, the committee expects that NASA will transmit to it a full and accurate summary of the cost assumptions that led to its decision.

Mr. TORRICELLI. Is it your expectation that in order to come to an ac-

curate understanding of the costs of single sourcing and second sourcing the RSRM, NASA must first receive cost proposals for the redesigned motor from the Nation's solid rocket motor producers?

Mr. ROE. Yes. The committee recognizes that NASA has never received proposals from the Nation's solid rocket producers to build the RSRM. If NASA is to accurately consider these potential costs, it must first solicit reliable cost information from potential bidders.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I further yield to the gentleman from New Jersey [Mr. TORRICELLI].

Mr. TORRICELLI. Mr. Speaker, I thank the gentleman for again yielding.

Finally, if I could then, many of the Members have been frustrated by the fact that through the years, there have been assumptions about the possibility of a contribution by other contractors; but in fact they have never been asked, and I wondered if we could in fact agree that if it becomes necessary to consider a single additional or second source, whether NASA should first receive cost proposals for a redesigned motor from a variety of the Nation's solid rocket producers.

Mr. LUJAN. Mr. Speaker, further reserving the right to object, I yield to the gentleman from New Jersey [Mr. ROE].

Mr. ROE. I thank the gentleman for yielding.

The committee recognizes that NASA has never received proposals from the Nation's solid rocket producers to build the RSRM. If NASA is to accurately consider these potential costs, it must first solicit reliable cost information from potential bidders.

Mr. TORRICELLI. Mr. Speaker, I thank the gentleman from New Jersey [Mr. ROE], the chairman of the committee, for his responses, and more than that, I thank gentleman from New Mexico [Mr. LUJAN], the ranking member, for the gentleman's contribution.

Mr. LEWIS of Florida. Mr. Speaker, I rise in support of the amendment to H.R. 2782, the National Aeronautics and Space Administration Authorization Act of 1988. I am especially pleased to support the aeronautics portion in this amendment.

Included is \$41 million for the repair and modernization of the 12-foot pressure wind tunnel at the NASA Ames Research Center. The original version that passed the House provided only \$10 million for the project. The 41-year-old wind tunnel was recently found to have a 140-inch long crack that penetrated 80 percent of the thickness of the steel wall. The total cost of repair to this facility may be over \$60 million.

The importance of this one facility to the U.S. aeronautics industry is enormous. Virtually every class of U.S. airplane flying today was

tested at the facility. Moreover, without the wind tunnel, testing can only be conducted in other countries.

The managers of the amendment to H.R. 2782 for the House, Mr. ROE, Mr. McCURDY, and Mr. LUJAN, are to be commended for providing long-term solutions to real problems rather than using a band-aid approach.

NASA provides national leadership in aeronautical research and technology and national aeronautical facilities. This leadership has contributed to the aerospace trade surplus of \$11.8 billion in 1986, which was the highest of all U.S. export sectors.

If we are to maintain our world leadership in aeronautics, we cannot delay the repair and restoration of this wind tunnel and other NASA facilities. Our international competitiveness in the aeronautics industry will benefit from this legislation that is before the House.

Many of the NASA space programs have been strengthened by this amendment. I urge my colleagues to support this legislation.

Mr. LUJAN. Mr. Speaker, we have covered the waterfront, as far as this legislation is concerned; and I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. DANIEL). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from New Jersey?

There was no objection.

A motion to reconsider was laid on the table.

SUPREME COURT NOMINATION PROCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. COLEMAN] is recognized for 5 minutes.

Mr. COLEMAN of Missouri. Mr. Speaker, like most Americans, I am shocked and saddened by the blatant political lobbying that has characterized the Bork nomination. While such activity is not prohibited, it has never been an accepted part of the confirmation process; it has degraded the independent stature of the Supreme Court.

The American people and the Senators who cast the deciding votes have the right to know who is sponsoring powerful campaigns to support or defeat a nominee to the Nation's Highest Court. That is why I have introduced legislation that will require individuals and organizations lobbying for or against Supreme Court nominees to file Federal financial disclosure forms. Failure to disclose under the bill would carry severe penalties.

If individuals or groups are spending millions of dollars to influence the outcome of a Supreme Court nomination, we should know who they are. There must be some accountability for those funds. That is the purpose of this bill.

Specifically:

Individuals and organizations receiving or expending \$5,000 or more to support or defeat Senate confirmation of a Supreme Court nominee will be required to file reports with the Clerk of the House of Representatives.

Filed reports must be itemized listing each individual contribution of \$100 or more.

Financial disclosure reports must be filed within days of reaching the \$5,000 level. Subsequent reporting is required to follow any additional contributions or expenditures of \$5,000 or more.

Anyone who violates these reporting requirements will be charged with a misdemeanor and fined up to \$5,000, imprisoned for up to one year, or both.

Repeat offenders will be fined up to \$10,000, imprisoned for up to five years, or both.

The Federal Regulation of Lobbying Act (2 U.S.C. 261 et seq.) would provide the framework for the enforcement of this bill, including penalties for violations.

It has been reported that at least 200 groups have been campaigning for or against Judge Bork's confirmation. Under the terms of this bill, the public and the Senate will know precisely who these groups are and where they get their money to wage million dollar public relations campaigns.

Campaign-like activities surrounding the Bork nomination have set a dangerous precedent that goes to the heart of our constitutional government: the independence of the judiciary branch.

The confirmation procedure was never intended, under the Constitution, to be an elective process. I am hopeful my bill will help contain the alarming popularity-styled confirmation process we are witnessing.

GENERAL LEAVE

Mr. COLEMAN of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the amendments to H.R. 2782, the bill considered earlier today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

GENERAL LEAVE

Mr. FRANK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GAY RIGHTS WEEKEND IN WASHINGTON, DC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 60 minutes.

Mr. FRANK. Mr. Speaker, this weekend a very large number of our fellow and sister citizens will be coming to Washington to lobby the Members of Congress, those few Members that they can find in town this weekend, but they will have left behind the staffs which do so much of the work and are available for this sort of thing.

A very large number of men and women will be coming to Washington to express their support for the broad set of issues that is covered by the title "Gay Rights."

A large number, not all, but a very large number, will be themselves lesbians and gay men who have experienced, to some degree, discrimination in this society, and who will be acting in the finest traditions of American democracy.

They will be coming to the seat of government and petitioning their representatives for redress of grievances. The grievances are several.

As in other areas where we have confronted prejudice in this society, I think we have seen substantial improvement in recent years. The prejudices that have existed in this society based on race have substantially eroded, although they remain a fairly big obstacle in some areas.

The prejudices based on sex are also less virulent than they used to be, but have not completely disappeared.

The prejudices against lesbians and gay men are less in my judgment than they were, but they are still far higher than they ought to be, because there ought to be in this society no prejudice whatsoever.

The fundamental request that is being made by people this weekend is one that everyone in this country ought to agree to. The people are asking for the right to be judged by others on their behavior, their qualifications, their own individual merit.

They are asking not to be prejudged, because some individuals do not approve of some aspects of their lives which are relevant to them and them only.

People are asking for the freedom from discrimination and the freedom to act that most Americans take for granted.

There are several aspects of this. There is legislation that would ban discrimination based on sexual orientation in housing and employment. One of the main sponsors of that bill, the gentleman from New York, is here today and will be joining me in this special order.

There is a proposal to repeal a very offensive part of our law in the immigration law which would ban visiting in this country, many people who visit regularly, on their sexual orientation. There is a terrible problem of AIDS. There is a great deal of understandable resentment at the very slow Federal response of this crisis which has taken the lives of so many, and which threatens the whole range of society, but has had in its initial stages an unfortunate impact on gay men.

There is always a concern that this disease not be used as an excuse by those who would further prejudice.

With regard to AIDS, the general thrust of the requests made this weekend will be that we as a Congress follow what the medical profession on the whole thinks wise.

Mr. Koop may have a few years ago struck some as an unlikely hero for the marchers who will gather in Washington this weekend; but by his integrity, the Surgeon General by his commitment to sensible medically driven responses to the AIDS crisis, he has become to a lot of people a symbol of how you do your job right, even in the face of rightwing pressures that have undercut his ability to do that in this administration.

So, along with many of my colleagues, I want to welcome our fellow and sister citizens, gay men and lesbians, to Washington this weekend. Not everyone will agree with all of the specific requests, demands, and proposals being made. Not everyone will agree with all of the specific tactical decisions that are made.

□ 1045

That is very much in the American tradition. When a large number of people come together to make political requests, you do not get unanimity if you are in a genuinely democratic society. Unanimity is something we leave to oppressed rigid totalitarian societies. In this country, diversity of opinion is one of the things we treasure, but there is a common thread and the common thread is that the prejudice that exists against people based on their sexual orientation, the prejudice that exists against people because of purely private aspects of their lives, is illegitimate in this society and to the extent that the Federal Government can act against that prejudice in continuation of our efforts to live out the ideals of this Constitution, we ought to do it. I think it is entirely appropriate that this march take place on the 200th anniversary of the Constitution.

Mr. Speaker, at this point I would like to yield to my colleague and neighbor, the gentleman from Massachusetts [Mr. STUDDS].

Mr. STUDDS. Mr. Speaker, I thank the gentleman for yielding.

I would like to take this opportunity to commend the gentleman for taking this time, and for his own integrity and courage. It is refreshing to hear my colleague from Massachusetts speak as slowly for once and with such obvious feeling. Even the Speaker pro tempore from the distinguished State of Virginia has been able to understand him in the last few moments and I think there is something to be said for that.

I also commend the gentleman for placing in the context of American political history the march and demonstration which will occur this weekend in Washington, DC. There have been a great many marches here, Mr. Speaker. I think many of us, certainly this Member of the House, began our political careers and had our political energies ignited in the first instance by the great marches and the movements of the sixties, the civil rights movement in the sixties, certainly the marches and the effort to bring to an end the tragic war in Southeast Asia.

I first marched myself in Washington in 1963 with Martin Luther King for civil rights. I marched again with Martin Luther King from Selma to Montgomery in 1965. I marched two more times, Mr. Speaker, on this city in the sixties in the great demonstrations against our involvement in the war in Vietnam. I marched in 1967. I marched again in 1969.

An extraordinary thing happened to me a few years later. I was elected to this body and normally one ceases to march upon one's self at a time like that. There was another great march in the late 1970's, Mr. Speaker. It was the first, and until this weekend the only march for lesbian and gay rights in the fall of 1979 in Washington. Having joined so many of the major efforts on behalf of my black brothers and sisters and people of color in the sixties, I did not, I was unable to bring myself to join the march in 1979 for my own civil rights. The closest thing I could come to an act of courage at the time was to alter my routine jogging path so as to come within sight of the march as it came down the mall in 1979.

This weekend, Mr. Speaker, I shall be in this march, along with hundreds—we do not know how many, but certainly hundreds and hundreds of thousands of our fellow Americans.

I would like to join my colleague from Massachusetts in welcoming the men and women from I suspect every State in this country, virtually every city of this country, who will be here in unprecedented numbers to do something which first of all, as the gentleman pointed out, is in the mainstream, well within the American political tradition, which is to petition their government for redress of grievances.

Second and sadly, to do something which they ought not to have to do at

all, which is to request as American citizens their fundamental civil rights.

Mr. Speaker, this is a city where much is spoken and all too often little is said, where English has not been spoken in many places for years, where a great many people like to refer to themselves as conservatives, which is further proof of the inadequacies of the language these days here; but let me submit, Mr. Speaker, to my colleagues that there is no more fundamentally conservative proposition in this land than the contention that all Americans ought to be guaranteed fundamental civil liberties and civil rights. That ought to be so fundamental as to be not subject to debate, and yet we are still in this country debating the equal rights amendment, whether or not to extend the protections of the Constitution to people regardless of sex, and those who would argue that that amendment is not necessary because the Constitution already guarantees those rights need look no further than Judge Bork, the great living incarnation of the argument for the ERA, who explicitly says that in his judgment the Constitution does not mean to extend those rights to women, because women did not enjoy them a century ago when the fundamental amendments were drafted. That same logic, Mr. Speaker, would leave us with involuntary servitude, because many of the men who wrote that Constitution themselves held slaves.

Times change. We change with them and now another category of Americans long denied their fundamental rights are coming to Washington peacefully to assemble and to ask for those rights.

I have a feeling, Mr. Speaker, that if it were possible for Members of this House to vote their hearts and consciences, that there would be very little debate at all. There is no controversy and deep down inside people know. I think it was Mark Twain who said, "Always do right. This will gratify some people and astonish the rest."

There is no about whatsoever what the right thing to do is here, Mr. Speaker. It is my hope that even the President of the United States, one of those many at this time in Washington who like to refer to themselves as conservatives, will grasp the fundamentally conservative nature of what is being requested here.

It is my hope, Mr. Speaker, if the gentleman will yield further for one moment, that this Sunday when hundreds and hundreds of thousands of Americans are gathered on The Mall and are marching toward this Capitol Building, that perhaps the President could look out from the White House across The Mall and realize that what he was seeing in the sea of humanity that he will see on that day is simply a

cross section of this country, his country, his America, young and old, black and white and brown and yellow, rich and poor, male and female, gay and straight.

This, Mr. President, is your country and it is asking for something which is your responsibility. Mr. President, which is leadership.

If I had the ear of the President, which as the gentleman knows is not the case, I would ask that he speak to our compassion and our love and not to our ignorance and our hate. I would ask that he call on what is best in us, not pander to what is worst in us. We are better than you think, Mr. President, we as a people, and we are far better certainly than you fear.

Finally I would say, Mr. President, if you must listen to a general, for God's sake listen to your Surgeon General and not to your Attorney General.

If I may quote Dr. Koop, who as the gentleman from Massachusetts said, is perhaps one of the more unlikely heroes to some of us this time, Dr. Koop said recently, "I am the Surgeon General of heterosexuals and the homosexuals, of the young and the old, of the moral or the immoral, the married and the unmarried. I don't have the luxury of deciding which side I want to be on."

Finally, Mr. Speaker, may I pay a special tribute to the gentleman from New York, our colleague [Mr. WEISS] who will participate in just a moment. In the march of 1979, which as I indicated earlier I did not participate in, that march was addressed by two Members of this House, the gentleman from New York [Mr. WEISS] and our late and sorely missed colleague, the gentleman from California, Mr. Phillip Burton. I clearly remember, I think I am correct, that the first time there was mention on this floor of the tragedy of AIDS, it was a special order taken by the gentleman from New York [Mr. WEISS] in which I had the honor of participating in 1983. That, too, Mr. Speaker, is a subject which ought not to be a subject of debate here.

Finally, I thank the gentleman from Massachusetts. I commend him and I join with him in welcoming many, many of our fellow citizens. I hope they will not have to make this march again.

Mr. FRANK. Mr. Speaker, I thank the gentleman from Massachusetts.

I am delighted to yield at this point to my good friend, the gentlewoman from Maryland [Mrs. MORELLA]; although she was originally from Massachusetts, but she is now representing the State of Maryland.

Mrs. MORELLA. Mr. Speaker, I thank the gentleman. He has an excellent memory.

Mr. Speaker, I am pleased to participate in today's special order to welcome to Washington those individuals

who will be coming here for the Sunday Gay-Lesbian Rights March on Washington.

I also want to commend the previous speaker, also from Massachusetts, for his very eloquent testimony.

I join a number of my colleagues here today in expressing my support for H.R. 709, legislation to end discrimination based on sexual orientation. This bill would amend existing statutes to prohibit this discrimination with respect to employment, housing, public facilities, and federally assisted opportunities.

Congress must clearly ban discrimination on the basis of sexual orientation with respect to these very basic human rights; this bill is a simple affirmation of civil and human rights to which every individual is entitled. Unfortunately, H.R. 709 is misunderstood by some, despite the support of a number of religious and civil rights organizations. I urge my colleagues to support this legislation.

I also want to take this opportunity to express my support for a strong Federal response to the AIDS crisis. Federal funding for research and education must be a top priority. This growing epidemic will not be stopped without an immediate and substantial Federal commitment. I thank my colleagues from Massachusetts and California for reserving this time today to discuss and call attention to these important issues. I am proud to be part of the tribute and welcome.

Mr. FRANK. Mr. Speaker, I thank the gentlewoman for her participation. It means a great deal to us and we appreciate it.

Mr. Speaker, I would just like to note that there are many additional statements, but they could not, despite their own great interest, be here in person today, our colleague, the gentleman from Ohio [Mr. STOKES] and the gentleman from California [Mr. EDWARDS] both of whom have been outstanding in their devotion to combating prejudice against women, against racial minorities, against religious groups and against gay men and lesbians.

Mr. Speaker, at this point I yield to one of those who has been one of the outstanding leaders in this fight, the gentleman from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I want to thank my distinguished friend and colleague for yielding this time to me, and most importantly, for arranging for this special order, and beyond that for the leadership that the gentleman has provided on this and so many other issues of great concern to our entire Nation.

Mr. Speaker, I want to join in welcoming our fellow citizens from across the country who will be gathering in Washington this weekend in a great outpouring, a great demonstration of

that which the Constitution grants all Americans, the right to peacefully assemble for their rights and to demonstrate their grievances.

This is the second great march against the discrimination to which people are subjected in this great country because of their affectional or sexual orientation or preferences. The one in 1979 was an impressive gathering. The one this year promises to be an even greater gathering.

I think that we meet this time at this gathering under much graver circumstances. With the advent of the AIDS epidemic, we now have people's lives and well-being and their very capacity to enjoy their jobs or their homes being discriminated against because of the ignorance of a lot of people who, instead of determining that the occasion of illness ought to bring out the best in us, use the occasion to do the worse to their fellow citizens in awful need.

So it seems to me that at the very least what we are underscoring by this great demonstration is a call to responsibility, a call to compassion, a call to the Federal Government to provide the kind of leadership which will allow us to meet the challenge AIDS as quickly and as urgently and as effectively as we possibly can.

The numbers of people who have already been diagnosed with AIDS itself is awesome, some 42,000 people. Twenty-four thousand of those people have already died; but those numbers become tiny by comparison to what is being projected in the immediate future. By 1991, the National Academy of Sciences and the Public Health Service itself tell us that there will be something like 270,000 cases diagnosed and as many as 170,000 people will have died. In 1991 alone, there will be probably somewhere around 75,000 new cases diagnosed, people who will not have had AIDS before will be diagnosed that year as having it.

□ 1100

Probably half of those people it is now projected already have the virus within them. But the other half will be contracting the virus in the years between now and 1991.

The great tragedy is that if there were a sufficient effort at informing people as to the steps that they could take to give themselves the best chance to prevent them from contracting the virus or from spreading or transmitting the virus, half of those people could be prevented from getting the disease. And it is, I think, a great national scandal that because of the in-fighting, to use the kindest word, that is going on within the administration on the part of those who believe that you can send a preachment or a moral message alone and solve the problem, has prevented the

professionals in the Public Health Service from doing that which they know and have said has to be done, which is to provide as much clear and explicit information as possible to try to prevent scientifically the spread of the disease.

So although the Congress, in a great demonstration of responsibility and lack of partisanship, has repeatedly voted far more money than the administration has wanted, not only for education but for research, we find that the money that it has appropriated simply has not been spent because the moralists have taken the field under the leadership of Secretary Bennett and have really refused to allow the money to be spent the way that it ought to be.

Hopefully the outpouring of hundreds of thousands of people this weekend will again heighten public concern to the extent that it will be able to have some significant impact on this administration. Then, of course, we have the basic, fundamental thrust toward extending basic constitutional protections to all of our citizens.

The gentleman from Massachusetts [Mr. FRANK] from the outset indicated the march we have had through our history in extending the rights which were guaranteed but not really implemented to our citizens, as he pointed out, on matters of race and religion and sex and national origin, we have made steady progress over the years. Discrimination still exists, but it does not have the weight or the support of the law, and where in fact it is found to exist there is quick action to penalize those who participate in it.

The one remaining major area of discrimination is regarding discrimination based on affectional or sexual orientation. It is conservatively estimated that there are somewhere between 20 or 25 million of our fellow citizens who fall within the category of discrimination, and yet they have no real protection at this point in regard to housing, in regard to employment, in regard to place of public accommodation or public facilities, because the statutes do not include protection for them.

The legislation which I have had the privilege of being the prime sponsor of since 1979, and which this year has some 70 cosponsors, and every Congress we have increased the number of sponsors for that legislation, seeks to amend the existing civil rights laws which already bar discrimination based on the grounds that I have set forth before simply by adding the words affectional or sexual orientation as being grounds on which discrimination will be not permitted and will be outlawed. I think that it is high time that that kind of legislation was on the books.

States and cities and localities across the country are taking their own lead

in enacting legislation, or in some instances having executive orders issued to provide the kind of protection that this legislation would enact. In my own city of New York we started the effort in 1971 and took some 15 years until we finally got legislation enacted. Prior to that time, the mayor of the city of New York had issued an executive order which provided the protection. And because of the very introduction of the legislation and the discussions and debate surrounding it I think that the educational process itself helped to reduce the impacts of discrimination.

I think that even without the benefit of legislation there is undoubtedly less discrimination today than there was 15 years ago. But legislation itself provides a great moral drive and thrust, and so we hope that the demonstration, the march that we will be participating in and that hundreds of thousands of Americans will be participating in again will provide the additional impetus so that we can have early enactment of legislation which will implement the provisions of basic civil rights and civil liberties to all of our citizens, regardless of their sexual orientation.

Again I commend my colleague and thank him for arranging for this special order.

Mr. FRANK. I thank the gentleman from New York who has been a beacon of concern. I think it is relevant to note that his concern, which I appreciate both personally, as a colleague for the rights of lesbians and gay men goes along with his concern for racial minorities, for the homeless, for people without handicaps. There are a lot of differences, obviously among all of those groups. What many of the groups have in common is one thing: They would like other citizens to treat them as individuals, on their merits, not because of prejudices.

I want to talk just a little bit about that, Mr. Speaker. Members of legislative bodies as we all know are not great fans of controversy. They will ask people why they chose to bring controversial issues like this forward, can things like this not be handled in a quiet way.

I would like you, Mr. Speaker, to think what it is like to be 18, 19, 20 years old, young man or young woman, to have feelings, urges over which you have no control. Obviously we can all control how we act, but we cannot control our basic feelings. People do not volunteer to have one sexual orientation or another. And you work hard, you love your parents, you love your siblings, you go to school, maybe you go to church or to synagogue. You live up to all of the obligations you are told you ought to live up to, and you encounter people who because of a fact of your life over which you have no control, and does

no damage to anybody, you encounter people who despise you, ridicule you, perhaps even engage in physical violence, because one of the pieces of the agenda this weekend is to address the problem of physical violence against people based on their sexual orientation.

Our colleague from Michigan, Mr. CONYERS, has had some excellent hearings in his Crime Subcommittee about the problem of people being beaten, killed, in a couple of cases, because other people did not like the way in which they chose to express love and affection.

Many of us are here to say to these 18-, 19-, and 20-year-olds that they have no reason to feel ashamed, that those who have singled them out for maltreatment and abuse are wrong, and that no American ought to have to apologize for any aspect of himself or herself. People have a right to live their own lives. Yes, we all have an obligation to respect the rights of other people. People who do that, people who live by the rules, people who work, worship, go to school, respect others, they have a right to reciprocal respect.

Think what it would be like, Mr. Speaker, to be told that because some people do not like the way in which you choose to spend your most private and intimate moments that you cannot have a job. Think what it would be like to be told we are not going to rent to you, again not because of anything you impose on anyone else, but because of personal, private choices you make. This is why this is a very important issue.

I am happy to yield again to my friend from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I believe what the gentleman has just said is both moving and profound, and I think all Americans have the capacity and the experience to identify exactly with what the gentleman has just said.

Those of us, of whatever religion we may be, know just in looking back at our own personal and religious histories that there were times and places in this country, and there still may be some times and some places in this country, and I know that there are, where because of one's religion one individually or one's group was in fact discriminated against. So it seems to me that just again on the basis of religious identification we as Americans really know what it is like to be discriminated against, and it should be easier for us to understand the thrust of those of our fellow citizens who want to be treated individually, equally, and not be discriminated against because of sexual preference or orientation any more than they would want to be discriminated against because of religions or race, or what country we came from or what sex we are.

Again, I think the gentleman's statement is very, very profound.

Mr. FRANK. I thank the gentleman. I am an adult expected to be mature, although I would not always make the claim. I am one of the luckiest people in this country, in my judgment, to have this job which I enjoy as much as I do, and I am pretty well protected from the prejudice which I think as a gay man I might be expected to encounter. But I am not totally free from it, and I have to think in my situation, lucky as I am to be in this job, to have the kind of support that I have, I have got to stop and think sometimes about how I am going to cope with prejudices. I would ask, Mr. Speaker, that you think what it is like for people who do not have the kind of protection or position or resources that we have. Think what it is like to be someone vulnerable and an average working person, a man or a woman. Think what it is like to have parents who are themselves the product of this society who may be expressing, because they think it is socially approved, a kind of fundamental dislike of you, their child, despite every effort you make to be the kind of loving and respectful son or daughter that you are expected to be.

That is why people are coming to Washington, DC, this weekend. Gay men and lesbians are coming at some cost to themselves, at some risk to themselves personally in some cases, because they want to hold out the hope to other people that the prejudices that have affected all of our lives would not affect the lives of young people yet to come, and that we will reach sooner than we might otherwise the ideal of a society in which no one gets special treatment, no one gets special preferences, in which individuals are judged on their own merits, and in which I show compassion for those who may not be able to succeed on their own because of some illness or some other problem, but that in general the rule will be you have a right to privacy.

I think one of the most important lessons that we have learned from the actions of the Senate in the past few weeks is that in general the American people care about privacy, that privacy is not simply some abstract creation of an ultra liberal theorist. Keeping the Government out of the most private and intimate aspects of our lives is something everybody wants, and people are not here asking in Washington this weekend for Government intervention in their private lives. What we are asking is Government assertion that private lives are private and people ought not be made to pay any penalty because of those choices, loving choices they make.

Let me just add, Mr. Speaker, before yielding to someone who has joined us and has become very quickly a leader

in fighting against antigay and lesbian prejudice, our colleague from California [Ms. PELOSI], let me just add an example. We talk about AIDS and AIDS is a very important issue. There are other important issues for the gay community. One of the things we are told we should be doing to combat AIDS is education, responsibility. People who want to judge others ought to look at the reaction of the gay and lesbian community to the problem of AIDS. There are exceptions. There are always exceptions when you are dealing with millions of people. But on the whole, it has been a model of social responsibility, of people raising money to take care of others, of education, of crusading for safe practices. The degree of education, responsibility and compassion that people in the gay and lesbian community have been showing toward each other as part of the fight against AIDS is I think one that most Americans if they look at it will find genuinely inspiring in its degree of responsibility and in its showing that individuals can take responsibility for each other in a positive way.

Mr. Speaker, we had the gentlewoman from California [Ms. PELOSI] and I each take out an hour special order. Mr. Speaker, because of an unexpected decision yesterday that we would not be in formal session today with votes, there are fewer of our colleagues in town. People have obligations in their own districts, so we might be consolidating this special order with myself and the gentlewoman from California. But I would like to make clear that we are equal partners in this special order, and each of us had taken out 1 hour because we did not know how many of our colleagues we would have to accommodate. But there being fewer in town than we expected, I am delighted at this point to yield to our newest and very able colleague, the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. It is an honor for me to share in this special order and I thank my colleague from Massachusetts for joining with me in calling for these special orders to welcome our visitors to Washington for the march.

□ 1115

I also am proud to say in Congress, because of the hard work of our colleague from New York, Congressman WEISS, I was able to join as a cosponsor in his bill banning discrimination on the basis of sexual orientation. I hope that our visitors to Washington who are here will help lobby for more cosponsors for that legislation which is so fundamental to us as Americans.

I had the honor a couple of months ago of having a press conference in my home in San Francisco to give some

publicity locally to the national march. I thought it was very important because I think the march presents a very special opportunity for us to talk about antidiscrimination, for us to talk about the very serious problem of AIDS which confronts us, for us to talk about Congressman CONYERS' crimes of hate legislation and for us to talk about education to help us in all of those areas.

As you know, for the next few days hundreds of thousands of our friends will be visiting Washington, DC. My colleague from Massachusetts had the idea that we would welcome them first on the floor of Congress and I am happy to be part of that. Tomorrow we will emphasize the serious nature of this march, this visit to Washington. My colleagues, Congressman WEISS and Congressman FRANK and others will be joining us at a legislative briefing for lobby day. At that time, we will review an agenda to help promote the issues, some of the issues concerned with the march, that being some of the things that will be needed in our fight against AIDS. Every chance we get we have to emphasize how important education is in the fight against AIDS. It is very important for us to have adequate funding also for an antiviral agent for those infected with the vaccine; it is important for us to provide sufficient, adequate patient care for those who are infected with the disease of AIDS and it is also important for us to provide leadership on a very important prevention effort throughout our community. I believe that we are not as a government utilizing every resource at our disposal. I believe it is unfortunate, as the mother of five children in the age range of 17 to 23, many of whom are going off to college and into the world for the first time, whose judgment may not be what a mother would hope, I think I share a concern many parents do in the country that it is important for us to equip our children with as much information as possible.

Certainly we can start by saying, "Just Say No" but we cannot think that that is an answer to stopping the spread of AIDS. We must insist that public policy, and the executive and legislative branches assume full responsibility in educating the public in the dangers inherent in the spread of this terrible, terrible virus.

What some of the events of this weekend will point up very clearly is the toll that has been taken by this disease. At my press conference at my home, we had the privilege of announcing something called the Names Project, which I would like to share with my colleagues, Mr. Speaker, if I may.

The Names Project is a project which is a quilt containing the names of thousands and thousands of people

who have died of AIDS. These quilts have been made by the families of the people with AIDS; they have been made by friends, relatives, et cetera.

The quilt, roughly the size of two football fields, is composed of thousands of individual 3 by 6 fabric panels, each bearing the name of a single person, as I said, lost to AIDS. The quilt panels have been designed and constructed in homes across America by the families and friends of those who have died.

Inspired by the American folk art traditions of quilting and sewing bees, the Names Project is a positive expression of personal loss as well as the dramatic illustration of the impact of AIDS on American society.

The executive director of the project, my constituent Cleve Jones said:

The quilt illustrates the enormity of this epidemic by showing the humanity behind the faceless statistics. It also provides a positive and creative means for Americans to express their loss. The quilt is a symbol of the unity in the national struggle against AIDS.

The inaugural unfolding of the quilt takes place on the Capitol Mall between 7th and 8th Streets and we are very grateful to the Park Service for their cooperation, on Sunday, October 11, scheduled to begin at sunrise, 7:13 a.m. That will be on Sunday, I say to my colleagues.

The unfolding will be concurrent with the reading of the names of those who have died of AIDS. The process will take 32 workers about 1½ hours to complete the mere unfolding of it. I have the honor of reading some of the names of my friends who have died of AIDS, some from the gay and lesbian community, some who just happened to have been infected and died, not members of the community. I think quilt, I know that this quilt will have the names of men, women, and children from all segments of our community who have been infected, afflicted, and have died from it.

What is important about it, though, is to know that from our community in San Francisco where we will have a large contingent of people coming, this quilt will give us strength to continue in the fight against AIDS. It is an inspiration to us.

The number of people in San Francisco now from the gay community who are infected in the past 12 months, infected with the virus, has been reduced to almost zero. I think nothing speaks so eloquently to the effectiveness of education as that statistic. We are dealing with a very sophisticated community, which when knowledgeable about the issue, made the necessary behavioral changes and brought the infection rate down to zero. This does not mean that many people will not be sick who were infected before the educational process

and many of them will die unless we come up with a cure.

But nonetheless, the zero rate of new infections gives us hope for the rest of our community and the entire society of this world not only this country.

So I want to take a few moments to plead, to beseech the administration to do everything in its power, and it has the power to spread the information contained in the Surgeon General's report, the President's own medical adviser wrote, the Surgeon General's report which I believe to be a very effective tool in the educational process.

As a Member of Congress I have requested to be able to send these brochures into my district. I have not received them after a few months of requests. I hope that they will come soon, because it is a matter of life and death.

I believe that the President should take the advice again of his medical adviser and send these because if we have the behavioral change, we will save the lives of our children and our friends. I would also like to say that at our legislative briefing tomorrow, we have plans to review a legislative agenda already in the Congress. My colleague, Congressman BARNEY FRANK from Massachusetts mentioned Congressman CONYERS' legislation about crimes of hate. I already addressed my colleague's, Chairman WEISS' legislation on discrimination. Right on point is our colleague from California, Congressman WAXMAN's legislation dealing with confidentiality and nondiscrimination for those who are infected with the AIDS virus. If it is important to have education, and I believe that it is, and if it is important for people to have behavioral changes, and we know that that is necessary, then, too, it is urgent for us to be able to guarantee the confidentiality of any testing that may accompany counseling, that accompanies behavioral change. Congressman WAXMAN's bill would insure that.

In addition to the confidentiality, it is important for us also to push for the nondiscrimination measures in Congressman WAXMAN's bill, so that our people who do come forth for counseling and in some cases testing, if they test positively for the virus that they will not be discriminated against in housing, employment, education, in the schools, in government, in all areas of their endeavors. If we can ensure confidentiality and nondiscrimination, we can ensure that more people will change their behavior, will seek counseling and in some cases the testing that goes with counseling for this. It is absolutely urgent. It has worked in our community. We have almost a zero rate of new infections.

I would like to, for the benefit of my constituents, point out one very small

but important difference or distinction in this discussion: Those who are infected with the virus are those that are addressed in the bill. That does not mean they have contracted AIDS, it simply means that they are infected with the virus. They show no signs, no symptoms, and we should not fear that those with AIDS and ARC or those infected by the AIDS virus are in any way endangering the health and welfare of the rest of us.

We should have enough concern and enough fear of this disease to take action, but we should not be so panicked that we do foolish things about it.

So let us create a situation which encourages people to come forward, to find out if they are in fact infected, not discriminate against them, keep their records private, and then in terms of those unfortunately at the next step, those who are infected with the AIDS, who have contracted AIDS or ARC, it is absolutely necessary for us to be able to provide some opportunity for a cure, but certainly the patient care that is necessary for the rest of their lives which unfortunately will be all too short.

And so our friends will descend on Washington this weekend. We welcome them here today. We will begin tomorrow in my office with a legislative briefing and I know my colleagues have plans of their own to welcome their constituents, to focus on the very serious matter before us. The AIDS issue makes the nondiscrimination issue even more important than it was in the past.

So I look forward to joining my colleagues, many of whom could not be here today, but who will be here tomorrow, in welcoming our friends to the march on Washington.

I hope that many of my colleagues will visit the Names Project. I think you will be inspired by it. I can tell you it is a source of strength to us.

I look forward to having my constituents visit my colleagues on Capitol Hill to show you some of the model programs that we have had in San Francisco, the San Francisco AIDS Foundation, the Shanty Project, the models of patient care that we have at San Francisco General Hospital.

There are answers, they are working. We would like to provide the opportunity for our colleagues to see how they have worked, how they can be effective.

Again, in closing, all of this to lobby the executive branch of Government to reach down and make a decision in favor of life, make a decision to do all in its power in the fight against AIDS.

I thank my colleague from Massachusetts for taking these special orders and I yield back the balance of my time.

Mr. FRANK. I thank the gentlewoman from California.

Mr. Speaker, I should note we have also received a statement from our colleague from New York [Mr. GREEN] who has joined us in this special order.

I want to express particular appreciation to those who have sent in their remarks and those who have come in person. This is a larger representation for a special order than you usually get. Had we not, Mr. Speaker, decided yesterday for good reasons that there would be no votes today, we would have had more people.

Mr. Speaker, I would like to just summarize for my colleagues: Tens of thousands, perhaps more, lesbians and gay men and friends of theirs are, as we speak, arriving in Washington and will be here by Sunday. They are coming in the American tradition to petition for a redress of grievances. The fundamental grievance is that they, we, are victims of prejudice, a prejudice which is based in some part on honest ignorance, in other parts on motives that are not as legitimate.

What people are asking is for the Federal Government adequately to fund the effort to combat AIDS and to follow in that effort the recommendations of the Public Health Service as exemplified by Ronald Reagan's choice as Surgeon General, Everett Koop.

People are asking that if it be a Federal crime to commit violence on some fellow or sister citizen, because of a prejudice, that this prejudice against gay men and lesbians be included. People are asking for the most fundamental American rights, to be able to live and work wherever you are qualified to do so and not face rejection because of an unreasoned, unreasonable prejudice against you. People are fundamentally asking, lesbians and gay men of all ages, for the right, in the words of Justice Brandeis, and it is a right that was just vindicated, I believe, by the decision that has in effect been made on the nomination of Judge Bork, and Justice Brandeis before coming to the court talked about, the right to be let alone. That is fundamentally what people want. People want to interact with others, people want to work, play, cooperate, build, they want to do all of the things everyone else does.

They also want in those most private and intimate aspects of their lives to be let alone, to be given the freedom to pursue what they and those close to them find to be appropriate. People who respect the rights of others, people who show a willingness to comply with the obligations, that each of us ought to have, to respect the property, the person of other people, then there ought not to be barriers based on race or sex or religious or sexual orientation.

□ 1130

Mr. Speaker, as I have said, not everyone will agree with every aspect of the march this weekend. I must say I do not agree with everything that is being proposed, and if I had been the one planning this, there would have been some differences.

People who make plans for events such as this have in this country the right to their own choices, and others have the right to participate in this or not to participate. But I believe there is overwhelming agreement within the gay and lesbian community and clearly among many of us here in Congress as well, on the central theme, prejudice against people based on the fact of their sexual orientation is simply wrong. It is harmful to this country, it is harmful to individuals, and it is something that the Federal Government has a responsibility in part to combat.

That is the purpose of this march this weekend.

I want to welcome our friends to Washington, and I want to yield again to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. FRANK] for yielding.

Mr. Speaker, I would like to say that my colleague from San Francisco, the gentlewoman from California [Mrs. BOXER], would be with us in special orders today, however she is holding a hearing right now on the AIDS issue and it has not ended in time for her to be here before my colleague from Massachusetts finishes this special order.

In addressing one of the comments my colleague made about not agreeing with everything that is proposed for the march, it is hard to think of anything in which agreement is unanimous, where we have agreed with every aspect of any program that has ever come down the pike. But I will say this, while we may disagree on uniformity, we certainly have unity today, and I know that my colleague from California, Mrs. BOXER, joins me in extending that unity and welcome to our visitors.

Mr. FRANK. Mr. Speaker, I am glad to yield to my good friend from New York [Mr. WEISS].

Mr. WEISS. Mr. Speaker, I thank the gentleman for yielding. I guess my closing words go to those who are participating in the march and those who are members of the gay and lesbian community whether or not they are participating in the march, and that is that I think all of us understand how difficult it is when you are denied basic rights. It seems to me that the courage and the commitment that it takes to fight for your own right is extremely important, and I think it sets the standards by which others who do not receive that particular form of discrimination may also be inspired and

aroused to help in joining in that fight.

So I think this is an extremely important event coming up this weekend.

Mr. FRANK. Mr. Speaker, I thank the gentleman from New York [Mr. WEISS] for his kind words. Let me just say in closing that this is a very American thing we are doing here this weekend. The prejudice against people based on their being gay or lesbian is not confined to this country. The prejudice exists all over the world. That does not justify it, however. It is like other prejudices, vicious and unjustified, and ought to be combated. We could not have in the Soviet Union or Cuba, where any gay and lesbian prejudice exists, the kind of head-on assault against that prejudice that we are going to see here in Washington this weekend.

I want to congratulate those who have the initiative and the courage and the energy to put aside their normal practices, their work, their relaxation, to give up a weekend and perhaps take a few days off from work, to find the money, and some will find it easily and some will not, to come to Washington and to participate in this most American of activities, a legitimate and reasoned demonstration on behalf of people's rights.

I am grateful to my colleagues for having participated in this special order and to those who I know will be participating by sending in their remarks under the general leave which the Chair has aided me in getting.

Mr. Speaker, I want to close by joining my colleagues in welcoming many people here to Washington. We look forward to working with them on a common agenda.

Mr. LEVINE of California. Mr. Speaker, I wish to thank my distinguished colleagues for reserving this time, and join in welcoming the Marchers for Gay and Lesbian Rights to Washington, DC. And I wish to extend a special welcome to several of my constituents who have come to Washington this week to participate in this march.

This is an historic occasion, and I commend the marchers' efforts in coming to Washington, many at personal expense, to demonstrate their support for the civil rights of all individuals, regardless of sexual orientation. I am an original cosponsor and strong supporter of H.R. 709, the Civil Rights Amendments Act of 1987, which would prohibit discrimination on the basis of affectional or sexual orientation. H.R. 709 will prevent discrimination in such important areas as housing, employment, and public accommodations. I have cosponsored this legislation every session since I have been in Congress, and I will continue to support it until there is no longer a need for marchers to come to Washington and defend civil liberties.

Many of the marchers who have come to Washington, including several of my constituents who are here, are people with AIDS. AIDS is the most serious public health threat

facing our Nation today, and stopping the spread of AIDS is one of my top legislative priorities.

I am very pleased that H.R. 3058, the HHS appropriation bill for 1988, includes almost a billion dollars, \$945.4 million for efforts to combat AIDS, an increase of \$466.2 million over last year's appropriation. The Senate bill, which will be going to the floor of the Senate shortly, includes \$946.3 million. This appropriation includes increased funding for AIDS research, conducted by the National Institutes of Health, and the Center for Disease Control AIDS efforts. Although important strides are being made in AIDS research, a cure, vaccine, or even a successful treatment are still along way off. Additional funding will be required to halt this disease. I share the commitment of the marchers here today to ensuring that adequate funding is allocated to ensure successful research into ending this disease.

I am also a cosponsor of legislation which would ensure the confidentiality of AIDS testing, and provide counseling for those seeking testing. This legislation is an important component of a national policy to halt the spread of AIDS. Prevention is the best weapon we now have against AIDS. By insuring the confidentiality of test results, we can best encourage people to seek testing, and receive counseling. I am committed to ensuring the passage of this legislation, as a vital part of our national AIDS policy.

Mr. Speaker, again I wish to commend the marchers who have made the effort to come to Washington to demonstrate their support for the rights of all individuals. I welcome their efforts, and I look forward to continuing to work with them to achieve a prejudice free society.

Mr. FAZIO. Mr. Speaker, I would like to join my colleagues in welcoming to Washington the thousands from across the country who are here to participate in the events associated with the Gay and Lesbian March on Washington.

This event is important for it draws attention to a number of serious issues currently confronting our Nation. For example, there is great concern for civil rights for all Americans, regardless of race, creed, color, or sexual orientation. I wholeheartedly support the efforts to eradicate discrimination or bias based on any of these characteristics. This concern and support includes sexual orientation; consequently, I am cosponsoring legislation, the Civil Rights Act Amendment of 1987, which would prohibit discrimination on this basis.

The events of this week are also important for the attention they are bringing to the AIDS crisis. Not only do the events of this week draw attention to the plight of those afflicted with AIDS, but they also reaffirm the very stark reality that AIDS is a very complex and devastating disease which will get worse before it gets better.

Earlier this year we found that the President had designated AIDS-related funding as a priority item, by initially putting in a budget request of \$534 million. Later this figure was raised to \$790.9 million. Yet we in Congress found that even the revised proposal was insufficient and eventually approved \$970 million for AIDS-related funding. This total represented an increase of \$179.1 million above

the President's revised budget request and \$475 million over the fiscal year 1987 amount, representing a 95-percent increase.

One thing which has become apparent is that a strong Federal commitment to AIDS-related funding is essential if we are to eradicate AIDS. By using Federal resources, we can educate which will hopefully change behavior necessary to curb the spread of AIDS. However, this will also involve efforts at the private and individual level and must involve all segments of society as this disease is rapidly spreading outside of the gay and IV drug abuser populations. We are finding that individuals from all walks of life are becoming part of the growing statistics on AIDS.

Our continued efforts to provide adequate funding are essential. We are planning to spend less than \$1 billion on AIDS-related programs in fiscal year 1988. Although this represents a significant increase over the previous year it is just a fraction of what this disease will eventually cost us. Not only are we losing young productive individuals, who are the prime candidates for contracting this disease, but we will also be spending billions of dollars in health and supportive services. Surgeon General C. Everett Koop estimates that in the year 1991, care for the projected 145,000 AIDS patients will cost between \$8 and \$16 billion.

In closing, I would just like to reiterate my strong commitment to eradicating AIDS and my support for those here in Washington this week helping in that fight.

Mr. GREEN. Mr. Speaker, I rise today to welcome the participants in the National March on Washington for Lesbian and Gay Rights which will convene here in Washington, DC, on October 11, 1987.

There is a long tradition in this country of people coming to the Nation's Capital to dramatize the need for change. With the same devotion and commitment as the civil rights and antiwar activists before them, they will come to Washington, DC, to let Congress and the administration know that lesbian and gay rights are human rights which should be fully reflected in our national laws and policies.

I, too, shall not rest in my efforts as a Member of Congress to help bring about changes that they seek: Full extension of civil and human rights, increased funding of AIDS research and education, confidential and voluntary AIDS testing with counseling and strong antidiscrimination measures.

In 1986, after a long and contentious struggle, the New York City Council passed a bill to ban discrimination in employment, housing, and public facilities on the basis of sexual orientation. I was gratified by this hard-won victory and hope that it will serve as an example of what should be done at all levels of government. On the Federal level, I am a cosponsor of the Civil Rights Amendment Act which would prohibit discrimination on the basis of sexual orientation in employment, housing, Federal programs, and public facilities. I believe that sexual preference should not be considered legitimate grounds for bias any more than race, creed, color, or gender. Homosexuals should receive the same judicial protection that other citizens take for granted.

As for AIDS, I do not need to state the obvious—we are seeing our colleagues, friends,

and loved ones dying of this disease. The tragedy of AIDS must be addressed with comprehensive government action including: research so that a cure can be found, education to help people understand the facts about AIDS, confidential and voluntary testing and counseling to help prevent the spread of HIV, and strong antidiscrimination measures to ensure that no one suffer the loss of a home or job because of a positive test result.

"For Love and for Life, We're Not Going Back" is the theme of this march. That is how progress begins—when people join together and refuse to turn away from their struggle for justice. I commend the strength and commitment of the marchers and look forward to continuing my work to end the most immediate and important problem, and terrible tragedy of AIDS and also to help America learn about the need to grant all of its citizens, including gay men and lesbians, their human rights.

Mr. EDWARDS of California. Mr. Speaker, I want to thank the gentlewoman from California, Congresswoman NANCY PELOSI, and the gentleman from Massachusetts, Congressman BARNEY FRANK, for reserving the time to recognize the value of this Sunday's National March on Washington for Lesbian and Gay Rights.

When I first came to Congress in 1963, the civil rights movement was in full bloom. Hundreds of thousands marched on Washington, and Congress responded to the outpouring of opposition to discrimination based on race, religion and national origin. The Civil Rights Acts of 1964 and 1965 were the result. This Sunday's civil rights march is in the tradition of the demonstrations that produced these laws.

The estimated 25 million lesbian and gay citizens of the United States suffer from discrimination based on sexual orientation. This Sunday's march—the largest demonstration for lesbian and gay rights in U.S. history—will call for an end to this insidious form of discrimination. Thousands of lesbian and gay rights supporters will exercise their first amendment right to take this message directly to the Government.

One of the primary purposes of the March is to support the passage of the Civil Rights Act of 1987 which would ban discrimination on the basis of sexual orientation. A fundamental purpose of the Constitution is to protect basic individual freedoms. Individual preference in matters of sexual orientation is a deeply personal and private matter. It is a basic individual freedom that must be respected and protected, just as the freedoms specifically enumerated in the Constitution must be respected and protected. Failure to make clear that sexual orientation is not grounds for discrimination erodes the right to privacy afforded by our Constitution. And when any individual's constitutional rights are violated, the rights of all of us are threatened. For this reason I wholeheartedly support the Civil Rights Act of 1987.

Mr. STOKES. Mr. Speaker, our country has just celebrated the 200th anniversary of the signing of the U.S. Constitution. This historic document ensured that all people of this Nation receive the full and equal protection of

the laws. Unfortunately, this has not been the case for all citizens of this country.

On Sunday, October 11, 1987, this city will observe the March on Washington for Lesbian and Gay Rights. This event represents a unified message to this Nation on behalf of the gay and lesbian communities. This message is that all people have a right not to be victimized or discriminated against because of their sexual orientation.

Mr. Speaker, I stand here today, along with many of my colleagues, to welcome the gay and lesbian community to Washington and to support their rights under the Constitution of the United States. I stand here, as an original cosponsor of the gay rights bill and as an endorser of this historic march, in opposition to any form of discrimination including the right of sexual preference for men and women.

Moreover, I support a vigorous and efficient Federal response to the AIDS crisis. It has largely been as a result of the organized effort of the gay and lesbian community that we have mobilized our energies to fight this dreaded disease. If we are to win this fight against AIDS, we must support, not resist, all efforts to conquer this disease.

Mr. Speaker, this Nation's greatest accomplishments have resulted from its diversity. There is no greater tribute that we can pay to our Founding Fathers, and our future generations, than to ensure the rights of "life, liberty and the pursuit of happiness" for all Americans and to support the March on Washington for Lesbian and Gay Rights. It is through the fight for minority causes in our Nation that we have preserved the rights of the majority.

Mr. DEFAZIO. Mr. Speaker, I commend my colleagues for calling this special order. I believe today marks an important opportunity for the Congress to discuss one of the most pressing health issues facing our Nation—AIDS.

AIDS is the No. 1 public health problem facing this country. The facts are all too familiar.

The Centers for Disease Control has reported 40,000 cases of AIDS in the United States alone; 20,000 of those cases have resulted in death.

Estimates show that by 1991, at least 270,000 Americans will have been infected by AIDS and 179,000 Americans will have died from the disease.

These statistics are alarming. AIDS is no longer someone else's problem. It affects everyone.

Despite the dire threat to our Nation's citizens and to our health care system, the Reagan administration is way behind other governments in taking the necessary steps to mount the education and research campaign that is necessary to slow the spread of AIDS.

We, as Members of Congress, have a tremendous responsibility to the Nation to develop a plan to combat this dreaded disease.

That is why legislative efforts such as the Waxman-Kennedy bill, which authorizes \$1.2 billion over the next 3 years for voluntary testing, education, and counseling, deserve our strong support.

That is why the Intravenous Substance Abuse and AIDS Prevention Act, which authorizes \$200 million in grants to nonprofit organizations for education, counseling, and

treatment services to drug users and AIDS victims, should be one of our highest priorities.

That is why we should support spending a minimum of \$100 million on demonstration projects to reduce and prevent the incidence of AIDS transmission to infants.

That is why we should do all we can to increase Federal support for expanded AIDS education and research.

And that is why we should make the Surgeon General's report on AIDS available to every interested person.

But in fighting this dilemma, we must remember that throwing money and programs at the virus will not alone halt its spread. The only known way to curb AIDS is to educate people about high-risk activities.

No one knows how widely AIDS will spread. No one knows how many lives will be lost. We do know, however, that prudent precautions and Federal investments in education help slow it down.

We also know that mandatory testing does not. Mandatory testing and reporting programs only increase the level of fear and misunderstanding that already surrounds the disease.

Any testing programs we pursue must preserve protections for those who participate. If our programs require disclosure, we doom to failure the only viable way of preventing transmission of the virus—voluntary testing.

People in high-risk categories, those who need testing the most in order to modify their behavior, already face undue discrimination. Forced AIDS testing would lead to threats of job and housing discrimination. The very people who need testing the most would be discouraged by the possible consequences of disclosure. We owe it to ourselves and to them not to increase the burdens they face.

Besides, according to a Harvard University study, the two standard AIDS tests are dangerously inaccurate when applied to large populations. The study showed that the tests would identify 28 true positives, 2 false negatives, and 11 false positives in a sample of 100,000 people.

As the New York Times said in an editorial recently:

The tests risk falsely informing 11 individuals that they carry the virus of a deadly disease and should never have children. Without guarantees of confidentiality, the insurers, employers, landlords and classmates of these 11 individuals may also learn, and act, on the false information. What a burden for mandatory testers to bear.

We should do everything we can to make testing safe and confidential.

And finally, we must remember that AIDS is a medical issue, not a political issue. The virus strikes people of all political persuasions. Those who politicize AIDS threaten the formation of a sound, rational, and effective national policy that will put an end to this killer disease and that will save the lives of untold numbers of people.

Mr. Speaker, I urge my colleagues to support all reasonable Federal efforts to combat the AIDS virus.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special

orders heretofore entered, was granted to:

(The following Members (at the request of Mr. INHOFE) to revise and extend their remarks and include extraneous material:)

Mr. BOEHLERT, for 5 minutes, today.

Mr. GINGRICH, for 5 minutes, today.

Mr. GINGRICH, for 60 minutes, on October 9.

Mr. COLEMAN of Missouri, for 5 minutes, today.

(The following Members (at the request of Mr. FRANK) to revise and extend their remarks and include extraneous material:)

Mr. ANNUNZIO, for 5 minutes, today.

Mr. BROWN of California, for 30 minutes, on October 14.

Mr. MORRISON of Connecticut, for 60 minutes, on October 21.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. INHOFE) and to include extraneous matter:)

Mr. DANNEMEYER.

Mr. SCHAEFER.

Mr. CRANE.

Mr. GALLO.

Mr. SENSENBRENNER.

Miss SCHNEIDER.

(The following Members (at the request of Mr. FRANK) and to include extraneous matter:)

Mr. RODINO.

Mr. STOKES.

Mr. WHEAT.

ADJOURNMENT

Mr. FRANK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 35 minutes a.m.), under its previous order, the House adjourned until Friday, October 9, 1987, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

2208. Under clause 2 of rule XXIV, a letter from the Comptroller General, General Accounting Office, transmitting the agency's report on the results of its examinations of the U.S. General Services Administration's consolidated financial statements for the fiscal years ended September 30, 1986 and 1985, which contains separate reports on GSA's system of internal accounting controls and on its compliance with laws and regulations, was taken from the Speaker's table and referred to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BEILENSEN: Committee on Rules. House Resolution 281. Resolution providing for the consideration of H.R. 3025, a bill to grant the consent of the Congress to the Appalachian States Low-Level Radioactive Waste Compact (Rept. 100-358). Referred to the House Calendar.

Mr. BEILENSEN: Committee on Rules. House Resolution 282. Resolution providing for the consideration of S. 640, an act for the relief of the city of Dickinson, ND (Rept. 100-359). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 940. A bill to provide for the regulation of the disposal of plastic materials and other garbage at sea; to provide for negotiation, regulation, and research regarding fishing with plastic driftnets; and for other purposes; with amendments; referred to the Committee on Public Works and Transportation for a period ending not later than October 10, 1987 for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(p), rule X (Rept. 100-360, Pt. 1). Ordered to be printed.

REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

H.R. 940 was referred to the Committee on Public Works and Transportation for a period ending not later than October 10, 1987, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(p), rule X.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FLORIO (for himself, Mr. COELHO, Mr. NAGLE, Mrs. COLLINS, Mr. COOPER, Mr. WYDEN, Mr. RICHARDSON, Mr. ST GERMAIN, Miss SCHNEIDER, Mr. HALL of Ohio, Mr. TRAFICANT, Mr. ROWLAND of Connecticut, Mr. GALLO, Mr. ROE, Mr. MORRISON of Connecticut, Mr. OBERSTAR, Mr. FROST, Mr. DWYER of New Jersey, Mr. HOWARD, Mr. FEIGHAN, Mr. RODINO, Mr. WEISS, Mr. KOLTER, Mrs. JOHNSON of Connecticut, Mr.

GONZALEZ, Mr. SMITH of Florida, Mr. GARCIA, Mr. KASTENMEIER, Mr. SABO, Mr. RAHALL, and Mrs. KENNELLY):

H.R. 3454. A bill to amend title XIX of the Social Security Act to assist individuals with a severe disability in attaining or maintaining their maximum potential for independence and capacity to participate in community and family life, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DYMALLY:

H.R. 3455. A bill to authorize the Indian American Forum for Political Education to establish a memorial to Mahatma Gandhi in the District of Columbia; to the Committee on House Administration.

By Mr. MONTGOMERY:

H.R. 3456. A bill to provide for the lease, sale, and other disposition of lands owned in fee simple by the Mississippi Band of Choctaw Indians; to the Committee on Interior and Insular Affairs.

By Mr. STENHOLM (for himself, Mr. GEKAS, Mrs. BENTLEY, Mr. BEVILL, Mr. BOEHLERT, Mr. CALLAHAN, Mr. CAMPBELL, Mr. CLINGER, Mr. COELHO, Mr. DICKINSON, Mr. EMERSON, Mr. ERDREICH, Mr. ESPY, Mr. FLIPPO, Mr. FOLEY, Mr. GLICKMAN, Mr. GOODLING, Mr. GRANDY, Mr. HARRIS, Mr. HATCHER, Mr. HOLLOWAY, Mr. HUCKABY, Mr. JEFFORDS, Mr. JONES of North Carolina, Mr. JONES of Tennessee, Mr. KOLTER, Mr. LEWIS of Florida, Mr. McDADE, Mr. MURPHY, Mr. MURTHA, Mr. OLIN, Mr. PENNY, Mr. RIDGE, Mr. ROBERTS, Mr. ROSE, Mr. SCHULZE, Mr. DENNY SMITH, Mr. TALLON, Mr. THOMAS of Georgia, Mr. TOWNS, Mr. WALKER, Mr. YATRON, Mr. PANETTA, and Mr. MADIGAN):

H.R. 3457. A bill to amend the Packers and Stockyards Act, 1921, to provide financial protection to poultry growers and sellers, and to clarify Federal jurisdiction under such act; to the Committee on Agriculture.

By Mr. TRAFICANT:

H.R. 3458. A bill to authorize assistance for opposition civilian democratic forces in Nicaragua; to the Committee on Foreign Affairs.

By Mr. CAMPBELL (for himself, Mr. UDALL, Mr. YOUNG of Alaska, Mr. YATES, Mr. KILDEE, Mr. RHODES, Mr. COELHO, Mr. BERMAN, Mr. BROWN of Colorado, Mr. CARR, Mr. DEFazio, Mr. DIXON, Mr. DORGAN of North Dakota, Mr. DYMALLY, Mr. FAZIO, Mr. GEJDENSON, Mr. HANSEN, Mr. HOWARD, Mr. INHOFE, Mr. JOHNSON of South Dakota, Mr. KENNEDY, Mr. LEWIS of Georgia, Mr. LOWRY of Washington, Mr. LUJAN, Mr. MARTINEZ, Mr. MATSUI, Mr. MINETA, Mr. MOODY, Mr. OWENS of Utah, Mr. RICHARDSON, Mr. SKAGGS, Mr. SKEEN, Mr. TORRES, Mr. TOWNS, and Mr. WYDEN):

H.J. Res. 372. Joint resolution to designate the week beginning November 22, 1987, as "American Indian Week"; to the Committee on Post Office and Civil Service.

By Mr. SMITH of New Jersey (for himself, Mr. MOLLOHAN, Mr. HYDE, Mr. WEBER, Mr. KOLTER, Mr. HUNTER, Mr. LAGOMARSINO, Mr. BADHAM, and Mr. PASHAYAN):

H. Con. Res. 194. Concurrent resolution expressing the sense of the Congress that efforts to allow people to assist others to commit suicide and efforts to promote suicide as a rational solution to certain problems should be opposed; jointly, to the Committees on Education and Labor and Energy and Commerce.

By Miss SCHNEIDER (for herself and Mr. UDALL):

H. Res. 283. Resolution expressing the sense of the House of Representatives that more Members of Congress should travel in the Union of Soviet Socialist Republics and more Soviet leaders should travel in the United States; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1349: Mr. RIDGE, Mr. BRYANT, and Mr. KOLBE.

H.R. 2758: Mr. FAWELL.

H.R. 2837: Mr. DAVIS of Michigan.

H.R. 3194: Mr. PURSELL.

H.R. 3266: Mr. APPELGATE and Mr. McEWEN.

H.R. 3281: Mr. FRANK, Mr. HUGHES, Mr. DELAY, Mr. MFUME, Mr. CARPER, Ms. KAPTURE, Mr. KENNEDY, Mr. VENTO, Mrs. BENTLEY, and Mr. FOGLIETTA.

H.R. 3336: Mr. BIAGGI, Mr. BRYANT, Mr. CHAPMAN, Mr. OWENS of New York, Mrs. JOHNSON of Connecticut, and Mr. LIGHTFOOT.

H.R. 3413: Mr. LaFALCE.

H.J. Res. 227: Mr. GRANT, Mr. LEATH of Texas, Mr. ROBERT F. SMITH, Mr. PASHAYAN, Mr. DURBIN, Mr. CAMPBELL, Mr. CARDIN, Mr. BILBRAY, Mr. DINGELL, Mr. COBLE, Mr. CARPER, Mr. ECKART, Mr. SCHEUER, Mr. BURTON of Indiana, Mr. MICA, Mr. SYNAR, Mr. McCLOSKEY, Mr. BROOKS, Mr. STALLINGS, Mr. CRAIG, Mr. McHUGH, Mr. SISISKY, Mr. EVANS, Mr. HUCKABY, Mr. WYDEN, Mr. OWENS of Utah, and Mr. LEWIS of Georgia.

H.J. Res. 337: Mr. BROWN of California, Mr. DYSON, Mr. FISH, Mr. FOGLIETTA, Mr. GOODLING, Mr. GRAY of Pennsylvania, Mr. PARRIS, Mr. SOBO, Mr. SHUMWAY, Mr. VIS-CLOSKY, Mrs. VUCANOVICH, Mr. YATRON, Mr. GUNDERSON, Mr. BOSCO, Mr. DAVIS of Michigan, Mr. FLAKE, Mr. MINETA, Mr. MOODY, Mr. HERGER, Mr. VENTO, Mr. SIKORSKI, Mr. WEISS, Mr. OWENS of New York, Mr. DENNY SMITH, Mr. PANETTA, Mr. WYDEN, and Mrs. BOXER.

H. Res. 276: Mr. RAY, Mr. WEBER, Mr. ARMEY, Mr. BALLENGER, Mr. BARTLETT, Mr. BUNNING, Mr. CRANE, Mr. DELAY, Mr. BARTON of Texas, Mr. GALLO, Mr. GINGRICH, Mr. HENRY, Mr. INHOFE, Mr. LEWIS of California, Mr. LOTT, Mr. PACKARD, Mr. McEWEN, Mr. GRANDY, Mr. RITTER, Mr. ROBERTS, Mr. HATCHER, and Mr. GUNDERSON.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2260: Mr. ROE.